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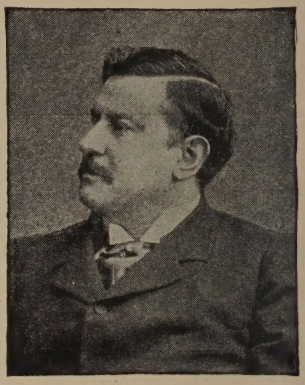

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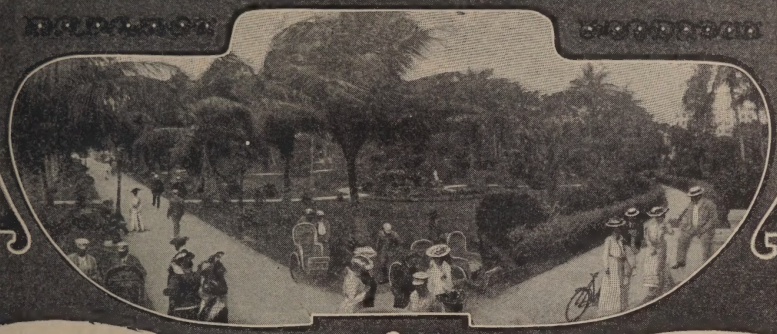

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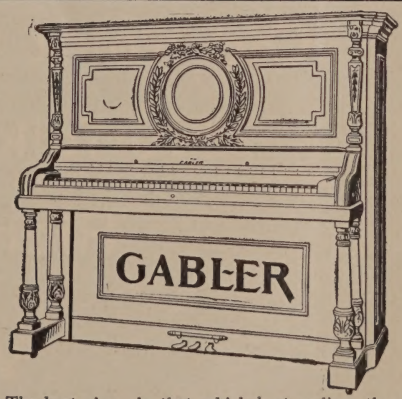

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CONCERNING COPYRIGHT.

AN OPEN LETTER TO THE REGISTER OF COPYRIGHTS.

BY MARK TWAIN.

Thorwald Stolberg, Esq.,
Register of Copyrights,
Washington, D. C.

Dear Sir:

I have received your excellent summary of the innumerable statutes and substitutes and amendments which a century of Congresses has devised in trying to mete out even-handed justice to the public and the author in the vexed matter of copyright; and, in response to your invitation to the craftsmen of my guild to furnish suggestions for further legislation upon the subject, I beg to submit my share in the unconventional form of

Question and Answer.

Question. How many new American books are copyrighted *annually* in the United States?

Answer. Five or six thousand.

Q. How many have been copyrighted in the last twenty-five years?

A. More than 100,000.

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Q. How many altogether in the past 104 years?

A. Doubtless 250,000.

Q. How many of them have survived or will survive the 42-year limit?

A. An average of five per year. Make it ten, to be safe and certain.

Q. Only *ten* a year!

A. That is all. Ten.

Q. Do you actually believe that 249,000 of these books have had no sort of use for a 42-year limit?

A. I can swear to it. They would not have outlived a 20-year limit.

Q. Then where is the use of a 42-year limit?

A. I know of none.

Q. What does it accomplish?

A. Nothing useful, nothing worthy, nothing modest, nothing dignified, nothing honest, so far as I know. An Italian statesman has called it "the Countess Massiglia of legal burlesque." Each year ten venerable copyrights fall in, and the bread of ten persons is taken from them by the Government. This microscopic petty larceny is all that is accomplished.

Q. It does seem a small business.

A. For a big nation—yes. A distinct reversal of the law of the survival of the fittest. It is the assassination of the fittest.

Q. Of course, the lawmakers knew they were arranging a hardship for some persons—all laws do that. But they could not have known how few the number was, do you think?

A. Of course not. Otherwise, they would not have been worrying and suffering over copyright laws for a hundred years. It has cost you, sir, 41 pages of printed notes to merely *outline* the acres of amendments and substitutes they have ground out in a century—*to take the bread out of the mouths of ten authors per year;* usually the ten poorest and most distinguished literary servants of the nation! One book from each of them. It takes a hundred years to hook a thousand books, and by that time eight hundred of them have long ago fallen obsolete and died of inanition.

Q. Certainly there is something most grotesque about this! Is this principle followed elsewhere in our laws?

A. Yes, in the case of the inventors. But in that case it is

worth the Government's while. There are a hundred thousand new inventions a year, and a thousand of them are worth seizing at the end of the 17-year limit. But the Government *can't* seize the really great and immensely valuable ones—like the telegraph, the telephone, the air-brake, the Pullman car, and some others, the Shakespeares of the inventor-tribe, so to speak—for the prodigious capital required to carry them on is their protection from competition; their proprietors are not disturbed when the patents perish. Tell me, who are of first importance in the modern nation?

Q. Shall we say the builders of its civilization and promoters of its glory?

A. Yes. Who are they?

Q. Its inventors; the creators of its literature; and the country's defenders on land and sea. Is that correct?

A. I think so. Well, when a soldier retires from the wars, the Government spends $150,000,000 a year upon him and his, and the pension is continued to his widow and orphans. But when it retires a distinguished author's book at the end of 42 years, it takes the book's subsequent profits away from the widow and orphans and gives them—to whom?

Q. To the public.

A. Nothing of the kind!

Q. But it does—the lawmaker will tell you so himself.

A. Who deceived the lawmaker with that limpid falsehood?

Q. Falsehood?

A. That is what it is. And the proof of it lies in this large, and eloquent, and sarcastic fact: that the Government does not give the book to the *public,* it gives it to the *publishers.*

Q. How do you make that out?

A. It is very simple: the publisher *goes on publishing*—there is no law against it—and he takes *all* the profit, both the author's and his own.

Q. Why, it looks like a crime!

A. It doesn't merely look like it, it *is* a crime. A crime perpetrated by a great country, a proud World Power, upon ten poor devils a year. *One book apiece.* The profits on "Uncle Tom's Cabin" continue to-day; nobody but the publishers get them—Mrs. Stowe's share ceased seven years before she died; her daughters receive nothing from the book. Years ago they found them-

selves no longer able to live in their modest home, and had to move out and find humbler quarters. Washington Irving's poor old adopted daughters fared likewise. Come, does that move you?

Q. Ah, dear me! Well, certainly, there is something wrong about this whole copyright business.

A. Something wrong? Yes, I think so! Something pitifully wrong, pathetically wrong! Consider the nation's attitude toward the Builder of its Material Greatness, toward the Defender of its Homes and its Flag, and (by contrast) toward its Teacher, who is also the Promoter of its Fame and Preserver of it—that Immortal Three! Behold, the spirit of prophecy is upon me, and a picture of a future incident rises upon my sight. You shall share the vision with me: The President sits in state in the White House, with his official family around him; before him stand three groups. In the first group, Edison, Graham Bell, Westinghouse, and other living inventors, and, back of them, dim and vague, the shades of Fulton, Whitney, Morse, Hoe, Howe, Ericsson and others; in the second group stand Dewey, Schley, Miles, Howard, Sickles, Chaffee, together with a private soldier and sailor representing 200,000 fellow-survivors of the bloody field, the sutler's tent and the teamster's camp, and back of these the stately shades of Washington, Paul Jones, Jackson, Taylor, Scott, McClellan, Grant, Sherman, Sheridan, Farragut, Foote, Worden, Sampson and others; in the third group stand three or four living authors, and back of them, with averted faces and ashamed, loom the mighty shades of Emerson, Bancroft, Bryant, Whittier, and behind these, dim and spectral, the shades of Cooper, Judd, Irving, Poe, Hawthorne, Longfellow, Holmes, Lowell, Harriet Beecher Stowe, Parkman and others.

The President Speaks.

"By command of the Nation, whose servant I am, I have summoned you, O illustrious ones! I bring you the message of eighty grateful millions—a message of praise and reward for high service done your country and your flag: from my lips, hear the nation's word! To you, inventors, builders of the land's material greatness, past and present, the people offer homage, worship and imperishable gratitude, with enduring fame for your dead, and untold millions of minted gold for you that survive.

To you, defenders of the flag, past and present, creators of the nation's far-shining military glory, the people offer homage, worship and imperishable gratitude, with enduring fame for your dead; and, for you that survive, a hundred and fifty coined millions a year to protect the highest and the humblest of you from want so long as you shall live. To you, historians, poets, creators of ennobling romance, — Teachers — this: you have wrought into enduring form the splendid story of the Great Republic; you have preserved forever from neglect, decay and oblivion the great deeds of the long line of the nation's Builders, Defenders and Preservers; you have diligently and faithfully taught and trained the children of the Republic in lofty political and social ideals, and in that love of country and reverence for the flag which is Patriotism—and without you this would be a Russia to-day, with not an intelligent patriot in it; you have made the American home pure and fragrant and beautiful with your sweet songs and your noble romance-literature; you have carried the American name in honor and esteem to the ends of the earth; in spite of unequal laws which exalt your brother the soldier and inflict upon you an undeserved indignity, you have furnished to your country that great asset, that golden asset, that imperial asset, lacking which no modern State can hold up its head and stand unchallenged in the august company of the sisterhood of Nations—a fine and strong and worthy National Literature! For these inestimable services, the people, by my voice, grant these rewards: to your great dead, as also to you who still live, homage, worship, enduring fame, imper—no, I mean gratitude, just gratitude; gratitude with a 42-year limit, and the poor-house for your widows and children. God abide with you, O illustrious company of the Builders, Defenders and Patriot-Makers of the grateful Republic! Farewell, the incident is closed."

Q. (After a long and reflective pause.) Isn't there some right and fair way to remedy this strange and dishonorable condition of things?

A. I think there is.

Q. Suggest it, then.

A Suggestion.

A. In making a 42-year limit, the Government's intention was, to be fair all around. It meant that the ten authors (it supposed the number was greater) should enjoy the profit of their

labors a fair and reasonable time; then extinguish the copyright and thus *make the book cheap*—this for the benefit of the public. I repeat, to *insure cheap editions for the public*: now, wasn't that *the* intention? and wasn't it the whole and *only* intention?

Q. It certainly was.

A. Well, that intention has often been defeated. In many a case, the publisher has not lowered the price; in other cases, so many publishers issued editions of the unprotected book that they clogged the market and *killed* the book. And often it was a book that could have survived but for this misfortune. The remedy that I would suggest is this: *that, during the 42d year of the copyright limit, the owner of the copyright shall be obliged to issue an edition of the book at these following rates, to wit: twenty-five cents for each 100,000 words, or less, of its contents, and keep said edition on sale always thereafter, year after year, indefinitely. And if in any year he shall fail to keep such edition on sale during a space of three months, the copyright shall then perish.*

Q. That seems to cover the ground. It meets the Government's sole desire—to *secure a cheap edition for the public.*

A. Why, certainly. It *compels* it. No existing law in any country does that.

Q. You would not put a price upon the publisher's other editions?

A. No; he could make the others as high-priced as he chose.

Q. Would you except books of a certain class?

A. No book occurs to me that could not stand the reduction—I mean a book that promises to live 42 years and upwards. It could not apply to unabridged dictionaries, for they are revised and newly copyrighted every ten or twelve years. It is the one and only book in America whose copyright is *perpetual.*

Q. Your own proposition makes all copyrights perpetual, doesn't it?

A. It does not. It extends the limit indefinitely. But there is still a limit; for in any year after the forty-first that the cheap edition fails, during the space of three months, the copyright dies.

Q. The proposed rate seems excessively cheap. How would the thing work out? About how much of a reduction would it make? Give me an illustration or two.

A. Very well, let me cite my own books—I am on familiar

ground there. "Huck Finn" contains 70,000 words; present price $1 50; an edition of it would have to be kept permanently on sale at 25 cents. "Tom Sawyer," 70,000 words, price $1 50; the imagined cheap edition would be 25 cents. Several two-volume books of mine contain a trifle more than 100,000 words per volume; present price $1 75 per volume; the cheap-edition price would be 75 cents per volume—or 75 cents for the complete book if compressed into one volume. My "works," taken together, number 23 volumes; cheapest present price of the set, $36 50. To meet the requirements of the copyright-preserving law, I would compress the aggregate contents into 10 volumes of something more than 200,000 words each, and sell the volumes at 75 cents each—or $7 50 for the lot, if a millionaire wanted the whole treasure.

Q. It is a reduction of *four-fifths,* or thereabouts! Would there be any profit?

A. The printer and the binder would get their usual percentage of profit, the middle-man would get his usual commission on sales. The publisher's profit would be very small, mine also would be very small.

Q. Then you are proposing commercial suicide for him and for yourself—is that it?

A. Far from it. I am proposing high commercial prosperity and advantage for him and for me.

Q. How?

A. First of all, the books would remain my children's possession and support, instead of being confiscated by various publishers and issued in cheap form or dear, as they chose, for the support of *their* children.

Q. And secondly?

A. Secondly—let us not overlook the importance of this detail—the cheap edition would advertise our higher-priced editions, and the publisher and my orphans would live on canvasback duck and Cape Cod oysters—not on ham-and-not-enough-of-it, the way certain Government-robbed orphans of my acquaintance are doing now.

Q. Why don't you and your publisher try that cheap edition now, without waiting?

A. Haven't I told you that almost all the profit would go to printer, binder and middle-man? And has this Government ever

heard of a publisher who would get out a dirt-cheap edition without being *compelled* to do it? The Government has tried persuasion for many a year, in the interest of the public, and achieved no cheap edition by it: what I am after now is *compulsion*.

Q. Are you guessing at cheap-edition possibilities, or are you speaking from knowledge?

A. From knowledge. Knowledge and experience. I know what it costs to make a book and what it costs to sell it.

Q. If your figures on cheap editions should be challenged by the trade—how then?

A. I could prove my case, and would do it.

Very respectfully,

S. L. Clemens (Mark Twain).

OUR ANTIQUATED METHOD OF ELECTING A PRESIDENT.

BY SIMON NEWCOMB, LL.D., UNITED STATES NAVY.

BEFORE the inhabitants of the United States retired to rest on the evening of Tuesday, November 8th last, it was heard on all sides that Theodore Roosevelt had been elected President of the United States. A visitor unacquainted with our Constitution, listening to the talk of our citizens, would never have suspected that he was witnessing anything else than an election of a President by the people, who had proceeded on the same system as if they had been electing the Governor of a State. Of course, we all know that a President was not elected, nor even voted for, on November 8th, and that the election will not occur until Monday, January 9th, when the electors will meet in their several States to cast their votes. But few of us reflect how devoid of legal force is the mandate of the people as expressed on November 8th, and how completely all responsibility for the choice of a President is vested in a body of men who will not have met even up to the time when this article shall be published. We have fallen into the habit of thinking of the actual election as a mere formality, like the counting of a vote on a specified day some weeks after an election. It may, therefore, be wholesome to point out how far this way of thinking is wrong, and what danger may arise at any time by the continuance of what we are too apt to regard as a mere formality.

The men who framed our Constitution found the task of devising a satisfactory method of electing a President to be one of great difficulty. It was believed that any system which provided for the direct choice of a President by a vote of the people at large would produce a degree of popular excitement "subversive of the order and peace of society." As late as 1823, it was still a ques-

tion whether some danger of this kind might not result from the direct choice even of electors by the people. The plan which commended itself to the Convention was, therefore, one by which the President should be chosen by a selected body of men, removed as far as possible from sinister influences, either on the part of the public on one side, or on the part of foreign emissaries—that great bugbear of the founders of our Constitution—on the other. It was not thought safe to have the electors meet as a single body, because the latter class of influences could then be most easily directed against them. Their choice was, therefore, made exclusively a function of the several States, the legislators of which were quite at liberty to make the choice themselves, or to have the electors voted for by the people. It is noteworthy that the latter system did not become universal until after our Civil War, the State of South Carolina, at least, up to that time providing that the choice should be made by its Legislature.

The preceding and other considerations are very fully set forth by Hamilton in "The Federalist." It is of especial interest to notice how careful the framers of the Constitution were to protect the electors from being tampered with in advance, and to prevent the votes of one State from being influenced by those of another. The electors were to be free from suspicion of too great devotion to the President in office. Hence no Senator, Representative nor other person holding a place of trust or profit under the United States, could be an elector. Hence, also, they were to meet on the same day in all the States. It would thus be "found no easy matter to suddenly embark them, dispersed as they would be over thirteen States, in any combinations founded upon motives which, though they could not properly be denominated corrupt, might yet be of a nature to mislead them from their duty."

Some results of these precautions are not without interest at the present moment. One is that there is as yet no candidate for the Presidency legally entitled to recognition on January 9th. Under our present system of official ballots, political parties are recognized, whose candidates as Governor, legislators and members of Congress are legally entitled to have their names printed on the ballot. But there are no such candidates for the position of President and Vice-President, because the people have no vote for these officers, and the States vote for them in a way distinct

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EWCOMB.

REPRESENTATIVE GOVERNMENT FOR RUSSIA.

BY HANNIS TAYLOR, LL.D. (EDIN. AND DUB.), AUTHOR OF "THE ORIGIN AND GROWTH OF THE ENGLISH CONSTITUTION," ETC., ETC.

WITH a view to ascertaining the result of the recent conference of the presidents of the Zemstvos, the representative of the Associated Press at St. Petersburg interviewed Mr. Sauverin, the veteran editor of the "*Novoe Vremya*," who said:

"I certainly think the conference was highly significant. It shows the necessity for a departure from the present system. Personally, I do not agree with all the Zemstvoist proposals. The memorial embodies to the last word the science of constitutional government. I think some form of national representation is bound to come. . . . It would not be a curtailment of the autocratic power to summon representatives of the people, but rather a strengthening of the Imperial authority, since it would enable the monarch to know the true needs and desires of his subjects. Ex-Minister of the Interior Ignatieff's idea of a Zemstvo Parliament to sit as a consultative body is worth considering as the logical development of the Zemstvos, which would be a ready-made electoral college for the land parliament. In my opinion, it would be preferable to have two houses. The higher should take the place of the present Council of the Empire, and a part of it should be elected and a part appointed. The Lower House should be composed of members, each representing a large constituency; otherwise, the population of 150,000,000 would necessitate a too unwieldy Lower House."

Here is a clear and definite admission, from one declaring his belief that "autocracy should be preserved," that the time has come when Russia should have a bicameral parliament to be composed of "an elective body to act in a consultative capacity to the sovereign, who should retain absolute freedom to follow the recommendations of the majority or minority, as he might think best." Mr. Sauverin evidently recognizes the maxim of Sir James Mackintosh that "constitutions are not made, they grow,"

when he adds: "My belief is that the changes should be introduced gradually. The first phase should be the introduction of the elected members to the Council of the Empire, which would be a useful initiation of our statesmen and people to representative institutions." In the presence of such reflections, students of the history of representative government naturally propound to themselves the question whether, in the light of that history, it is not probable that a parliament may be rapidly evolved out of the local institutions of Russia, in such a way that a representative assembly may be built up alongside of the Autocracy, at first purely consultative, and finally supreme in the state. All who are familiar with the history of the English constitution know that the Parliament of that country was evolved, through such a process, from germs embedded in the English township, originally a village community with a constitution identical with that of the Russian *mir,* the primary unit of Russian state organization.

Representative government is a Teutonic invention, of which the ancient world knew absolutely nothing. To the Teutonic invaders who settled down within the limits of the Roman Empire the modern world is indebted for the principle of representation, whereby large populations are enabled to extend the organization of natural life, without loss of vitality, through representative assemblies in which widely separated local communities cooperate with the central authority through trusted men elected to speak and act in their stead. The incurable weakness of the Roman political system was its lack of the equal and concerted action of widely diffused populations through the instrumentality of representation. That lack was supplied by the Teutons, who brought with them from the forest and the steppe the germs of the representative principle embedded in the organization of their local, self-governing communities. In every one of the modern European states that have arisen out of the settlements made by the Teutonic nations on Roman soil, a serious attempt has at some time been made in the direction of representative government. The remarkable fact is that, in every Continental state in which such an attempt was made, it ended at last in failure and disappointment. By the sixteenth century, nearly every effort in the direction of representative government upon the Continent of Europe had come to an end. In England only, among the Teu-

tonic nations, has the representative principle been able to maintain a continuous existence. In that way, the English nation has been able to hand it down from the barbarian epoch to modern times; in that way, England became the "Mother of Parliaments," the teacher of the science of representative government to all the world. Since the beginning of the French Revolution, nearly all of the states of Continental Europe have organized national assemblies after the model of the English Parliament in a spirit of conscious imitation. But the typical English national assembly, embodying what is generally known as the bicameral system, was not copied into the Continental European constitutions until it had first been reproduced in a modified form by the founders of the federal republic of the United States. Thus rendered popular by its successful reproduction in American constitutions, State and Federal, the English political model was followed by France, by Spain and Portugal, and by Holland and Belgium combined in the Kingdom of the Netherlands; and, after a long interval, by Germany, Italy, Austria and Japan. To the student of the science of politics, the typical English national assembly, therefore, appears not simply as the local legislature of the United Kingdom, nor even as the Imperial Parliament of the British Empire, but, higher still, as the accepted model of representative government throughout the world. Has the time come when Russia is prepared to concentrate the vast energies of her widely diffused populations through the instrumentality of a representative assembly, fashioned after a model adopted in every country in which constitutional government now prevails?

The most valuable single result, perhaps, of the application of the new science known as "Comparative Politics" to the study of institutions, is embodied in the discovery that the unit of organization in all of the Aryan nations, from Ireland to Hindustan, was the naturally organized association of kindred—the family, swelled into the clan—which, in a settled state, assumed the form of a village community, represented by the γένος of Athens, the *gens* of Rome, the *mark* or *gemeinde* of the Teutonic nations, and the *mir* of Russia. The Teutonic state built up in Britain, and known as "England," is the outcome of a process of aggregation, in which the village community, or mark, there known as the "township," "parish" or "manor," was

the unit of political organization. As Mr. Freeman has expressed it:

> "The unit is the mark, roughly represented by the modern parish or manor. The shire must not be looked on as a division of the kingdom, nor the hundred or the mark as a division of the shire. The hundred is, in truth, formed by an aggregation of marks, the shire by an aggregation of hundreds, and the kingdom by the aggregation of shires. The aggregation of marks into shires is, indeed, mainly to be inferred from local nomenclature and from the analogy of other Teutonic countries, but the aggregation of shires into kingdoms is matter of recorded history."

The English state, thus built up in Britain through the aggregation of primitive local communities, preserved them as the substructure of its national life; and from them was drawn the representative principle confined at first to strictly local concerns. The English village assembly, or tun-moot, elected its own officers, and also provided for the representation of its interests in the assemblies of the hundred and the shire, where the reeve and four discreet men appeared for the township. That is the earliest illustration of the representative principle. As John Fiske has well expressed it: "In these four discreet men sent to speak for their township in the old county assembly, we have the germ of institutions that have ripened into the House of Commons, and into the legislatures of modern kingdoms and republics. In the system of representation thus inaugurated lay the future possibility of such gigantic political aggregates as the United States of America." The representative principle, which survived the Norman Conquest as a part of the machinery of the Old-English local courts, never entered into the constitution of the national council prior to the reign of John. Not until that time did the ancient practice of sending the reeve and four discreet men from the township to the county court expand into the practice of sending "four discreet men," as representatives of the shire, to the common council of the kingdom. Not until 1265 did representatives from the towns first appear in Parliament, and not until 1295 was it settled that elected representatives from both shires and towns had the right to appear regularly in Parliament. From the coming of the Conqueror down to that time, the bureaucracy which governed England in the name of the Crown was almost as absolute in national affairs as that which now

governs Russia in the name of the Tsar. When the English Commons were first called to Westminster to consult as to taxation, their position was quite as humble as that which Mr. Sauverin would now assign to the lower house of his elective assembly. As all the world knows, the growth of the power of the English Parliament was a very gradual evolution. Only after hard and prolonged struggles did it win the right, first, to participate in and then exclusively to authorize taxation; next, to participate in and control legislation; next, to control the royal administration and to depose the King himself. The secret of the result finally attained is embodied in the fact that the unit of political organization known as the "township" survived, and from its loins was drawn the vital principle of popular government, through whose agency was built up, alongside of the royal bureaucracy, a representative assembly in which the sovereign powers of the nation were concentrated and consolidated.

In the absolute and centralized monarchy of Russia, the unit of state organization is the village community known as the "*mir,*" whose constitution is identical with that of the Teutonic mark or township, as it appeared centuries ago. While the latter has grown and borne fruit, the former has simply prolonged its childhood. When the student of politics desires to inspect an ancient institution in its primitive form, he must find it in some stagnant community in which it has not progressed. The Russian *mir,* as it appears to the traveller of to-day, is a vivid illustration of the village life of the founders of the English kingdom at the time the migration into Britain began. From the chapter entitled "The *Mir*" in Sir Donald Mackenzie Wallace's book on Russia, published not very long ago, we learn that:

"In 'the great stronghold of Cæsarian despotism and centralized bureaucracy,' these Village Communes, containing about five-sixths of the population, are capital specimens of representative constitutional government of the extreme democratic type! When I say that the rural commune is a good specimen of constitutional government, I use the phrase in the English, and not in the Continental, sense. . . . Their constitution is of the English type—a body of unwritten, traditional conceptions, which have grown up and modified themselves under the influence of ever-changing practical necessity. If the functions and mutual relations of village elder and the village assembly have ever been defined, neither the elders nor the members of the assembly know anything of such definitions; and yet every peasant knows, as if by instinct, what

each of these authorities can do and cannot do. The commune is, in fact, a living institution, whose spontaneous vitality enables it to dispense with the assistance and guidance of the written law. As to its thoroughly democratic character there can be no possible doubt. The elder represents merely the executive power. All the real authority resides in the assembly, of which all heads of households are members. Theoretically speaking, the village parliament has a speaker, in the person of the village elder. . . . The elder comes prominently forward only when it is necessary to take the sense of the meeting. On such occasions, he may stand back a little from the crowd and say, 'Well, orthodox, have you decided so?' and the crowd will probably shout, '*Ladno! ladno!*' that is to say, 'Agreed! agreed!' Communal measures are generally carried in this way by acclamation; but it sometimes happens that there is such a decided diversity of opinion that it is difficult to tell which of the two parties has a majority. In this case, the elder requests the one party to stand to the right and the other to the left. The two groups are then counted, and the minority submits, for no one ever dreams of opposing openly the will of the *mir*."

Who can read that description without comparing the Russian village assembly with a New England town meeting, which is simply a reproduction on American soil of the Old-English township, as it appeared before it was ever overlaid by ecclesiastic and feudal organizations. The analogy may be carried farther. In the earliest times, the system of cultivation through a periodical redistribution of agricultural lands surely existed in the English township, as it exists in the *mir* to-day. Common lands were and are incident to both. Boston Common is simply a survival of the system as it reappeared upon our Atlantic seaboard.

Such is the nature of the village communities, with their village parliaments, in which the machinery of election and representation is constantly employed by perhaps five-sixths of the Russian people in the regulation of their local concerns. The greater number of the Russian towns are mere villages, whose inhabitants depend upon agriculture. Of the 68,600,000 who formed the rural population of European Russia in 1882, the greater part were settled in 555,278 villages, almost entirely built of wood. It thus appears that the national life of the greater part of the people of Russia is village life, a life packed away in the cells in which immemorial custom has enclosed it. The unit of state organization is still the village community known as the "*mir*." A union of such communities is called a "*volost*," whose peasant inhabitants elect an elder *(volostnoy starshina)*. The

elder of the volost and his clerk have become, however, mere organs of the local police and tax-gatherers, while the tribunal of the volost is at the mercy both of influential land proprietors and of the wealthier peasants or merchants, subject as they are to the uncontrolled rule of a state official, the *mirovoy posrednik,* and of the police. The system of local self-government is also continued in the elective district and provincial assemblies, the Zemstvos, on the one hand, and, on the other, the elective justices of the peace *(mirovoy sudia),* whose periodical gatherings *(mirovoy syezd)* are courts of appeal against the decisions of the individual justices. But neither of these institutions, says a competent authority, and least of all the Zemstvo, is capable of acquiring the necessary independence. The Zemstvos—one for each district, and another for the province—consist of a representative assembly *(zemskoye sobraniye)* and an executive *(Zemskaya uprava)* nominated by the former. While in theory the Zemstvos have large powers in relation to the incidents of taxation, as well as to matters affecting education, public health, roads and the like, their decisions are jealously controlled by the representative of the central government, the Governor, and promptly annulled whenever they conflict with the spirit prevailing for the time at the Court. Disobedience is punished by dissolution, and sometimes by administrative exile,—circumstances which have tended to eliminate from the Zemstvos the better elements that entered originally into their composition. In the light of this statement it may be easier to understand the significance of the recent conference of the presidents of the Zemstvos, whose memorial, in the words of Mr. Sauverin, "embodies to the last word the science of constitutional government."

Whenever the local communities in which the main body of a nation live are nurseries in which the principle of election and representation is kept alive, workshops in which it is daily applied to the necessities of local existence, an explosion is possible at any moment which may lift it into a higher sphere. In the several colonial commonwealths founded by English settlers upon American soil, the typical English national assembly reappeared in an embryonic form, as the predestined product of a natural process of reproduction. These assemblies "were not formally instituted, but grew up themselves, because it was in the nature of Englishmen to assemble." A graphic statement of that fact

may be found in the words of Hutchison, a writer upon our colonial history, who tells us that in "this year [1619] a House of Burgesses *broke out* in Virginia." It is evident that the point has been reached when a representative national assembly, a real parliament on the modern plan, is about to break out in Russia; the travail of war is forcing the parturition. An eminent American publicist, in writing upon "Law: Its Nature and Development,"* said, not long ago:

"There can be no reasonable doubt that the power of Russia's Czar, vast and arbitrary as it seems, derives its strength from the Russian people. It is not the Czar's personal power; it is his power as head of the national church, as semi-sacred representative of the race and its historical development and organization. Its roots run deep into the tenacious, nourishing soil of immemorial habit. The Czar represents a history, not a caprice. . . . Again, it is said, apparently with a quite close regard for the facts, that in Russia sovereignty is lodged with the Czar, the supreme master 'of all the Russias.' That his will is law, Siberia attests and Nihilism recognizes. But is there no *de facto* limitation to his supremacy? How far could he go in the direction of institutional construction? How far could he succeed in giving Russia at once and out of hand the institutions, and Russians the liberties, of the United States and its people? How far would such a gift be law? *Only so far as life answered to its word of command.*"

In that last sentence is embodied the essence of the problem. As the writer just quoted has well said in the same connection: "Temporary, fleeting despots, like the first Napoleon, lead nations with them by the ears, playing to their love of glory, to their sense of dignity and honor, to their ardor for achievement and their desire for order." To that he might well have added that fleeting despots cannot create, out of hand, enduring institutions. And yet, while it is true that "constitutions are not made, they grow," there can be no doubt that, at certain stages of the growth, it may be greatly accelerated by external influences. While it would be impossible for the Czar to create by edict an artificial scheme of liberty for Russia, it may be quite possible for him, in that way, to quicken into a new and larger life, and to lift into a higher sphere, the representative system whose "roots run deep into the tenacious, nourishing soil of immemorial habit." A great beginning could be made, if the Imperial hand

* Woodrow Wilson, "The State," pp. 620, 624.

would only cut away the vines with which the bureaucracy has for so long a time been strangling the rich undergrowth of representation embedded in local institutions. Statesmen, like Prince Mestchersky, who are saying that "constitutional government is impossible in Russia for the simple reason that the vast majority of the people have not the slightest conception of its meaning," seem to be strangely ignorant of the fact that, for centuries, the Russian people have been having the best of all constitutional training in their village parliaments, the identical training out of which has grown the representative assemblies of England and the United States. There is no reason why a parliamentary system should not be rapidly developed in Russia, because the entire substructure of the state is composed of nurseries in which the principle of election and representation by small democracies is in full bloom. Russia cannot afford to wait. Since the fall of the Roman Empire, no vast political aggregate ever suffered so much from the lack of the helping hand of a representative national assembly, capable of insuring the equal and concerted action of widely diffused populations. If to-day Russia had such a parliament, whose elongated fingers could reach down into the pockets of consenting millions, the brilliant adversary now defying her would be as helpless as a cripple in the grasp of a Titan.

HANNIS TAYLOR.

THE ISSUE OF THE OPEN AND CLOSED SHOP.

BY HENRY WHITE.

THE working class is rapidly raising itself out of its servile state through concerted action, and for the first time in history it is becoming a leading social factor. In consequence, the quiescent mass which gave society a firm base is growing restless, and the onerous task now faces mankind of readjusting the economic relations in conformity with democratic ideals.

The disappearing of the individual personal element in industry and the coming together of workmen in large groups, has developed among them a consciousness of their common interest, thereby promoting unity of purpose. This tendency is culminating in a definite working-class movement, which is widening the breach between employer and employed.

So far has the organization of the wage-workers proceeded, and likewise the counter combination of the employers, that the gravest of social problems has been narrowed down to the rights of the contending parties, as chiefly embodied in the problem of the "open" and "closed" shop. By the "open" shop is commonly meant the policy of employing workmen without regard to their affiliation with unions; and the "closed" shop is the antithesis of this, or the union shop. The term "union shop" is also made to apply to places where only union members are employed without the employer's agreeing to follow this course, but in the closed shop the employer expressly agrees to exclude non-unionists. The open-shop question is by no means new, as the unionizing of the shops has been naturally resisted by the employer wherever possible, but the term has taken on a new significance since it has been adopted as a slogan, as an emancipation declaration against union rule. The open-shop advocates dis-

claim any intention of fighting unions as such. They even claim to favor unions "rightly conducted"; but, whether sincere or not, their recognition of the right and necessity of workmen to organize marks an important step in the progress of unionism. Until quite recently, employers openly refused to have any dealings with organized workmen. Accustomed as they were to treating with the single employee, a collective demand was to them an insurrection. It was a radical, if not a revolutionary, departure for workingmen to demand as a wage all that could be exacted from industry, instead of being content with a wage limited by unrestricted competition—hence the union could not be recognized or temporized with. But when the employers found that the union continued to grow despite their efforts, and that public opinion began to favor the organization of the laborers as a means of equalizing advantages, their hostility gave way to tolerance, and the union was in time accepted as a factor in industry.

Having fought its way to recognition, the union demanded the exclusion of non-union men from the shops. This meant a long step toward union regulation of industry, and, as was anticipated, it soon brought the movement into conflict with practically the whole employing class. A more general observance of the closed shop followed the expansion of the labor movement. Charges of union abuses, due to the alleged labor monopoly fostered by the closed shop, became rife; the sentiment toward the union changed noticeably, and the employers were aroused into active hostility. The "open shop" thus became the rallying cry of the employer.

Beginning about five years ago, strikes on a scale never before known occurred, notably in the building and mining trades. The employers, emulating the example of their workmen, formed associations in the different trades and industrial centres to fight the closed shop, and recently these associations united into a vast federation known as the Citizens' Industrial Association of America. These bodies, although lacking the definite policies of the unions, are, nevertheless, sufficiently in accord to present a united front to the unions. In the construction trades, the employers' association recognizes the closed shop, but only as a matter of necessity. On account of the numerous branches of labor employed at a time on one job, work would be interrupted incessantly, unless the builder took the precaution to hire only union help; but there is no doubt as to what the employers' attitude in that

industry would be if the cost of enforcing the open shop were not too great. In the building-trades war, in progress in New York since last spring, the unions charge the employers with seeking to bring about the open shop by repressing the sympathetic strike and establishing an arbitration plan to which the builders insist that the unions shall adhere.

The largest of the employers' bodies is the National Association of Manufacturers, of which David M. Parry, whose name typifies the anti-union movement, is president. Mr. Parry is also the president of the Citizens' Industrial Association of America. It was at the New Orleans convention of the former body in 1903 that the open-shop movement was crystallized.

In the addition to the preamble, adopted at the Pittsburg convention, held last May, its attitude is thus stated:

"The employees have the right to contract for their services in a collective capacity, but any contract that contains a stipulation that employment shall be denied to men not parties to the contract is an invasion of the constitutional rights of the American workman, is against public policy, and is in violation of the conspiracy laws. This Association declares its unalterable antagonism to the closed shop, and insists that the doors of no industry shall be closed against American workmen because of their membership or non-membership in any labor organization."

The notable decision of the Anthracite-Coal Commission appointed by President Roosevelt in which the open-shop principle was upheld, and likewise the decision of the President reinstating foreman Miller in the Government Printing-office, from which he had been discharged upon complaint of the Bookbinders' Union, have given a strong impetus to the open-shop movement. So vigorous and widespread has it become that many employers who previously, without much urging, recognized the closed shop, have been carried along with it, and now avow their determination to resist the closed shop at whatever cost. The Citizens' Industrial Association at its annual convention held in New York in November asserted its uncompromising hostility to the closed shop, and the American Federation of Labor in session at San Francisco a week earlier reaffirmed its opposition to the open shop.

The stress thus put on the open shop by the employers has also aroused the unionists, in the belief that its object is to crush unionism. Many serious strikes have been precipitated on that

account, the most recent and noteworthy being the strikes in the glove trade in Gloversville, N. Y., and in the clothing trade in New York, both of which were lost. In both cases, only union men were employed in the shops when the employers promulgated their shop policy. The employers also announced that the conditions then existing would not be disturbed, but that they reserved the right to employ non-union men, should they so elect. The unions took alarm, believing their existence threatened, and tried to protect themselves by attempting to compel the employers to agree to employ only members in good standing. The glove strike, which involved about three thousand men, began on December 23rd, 1903, and ended on June 28th, 1904. The clothing strike began on June 20th and ended on July 27th, 1904, and affected about fifteen thousand tailors and twelve hundred cutters. Similar strikes took place a few weeks later in Chicago, St. Louis and Boston, involving over six thousand clothing workers more, and with a like result.

Much can be said of the motive that prompts the employer to favor the open shop. With some, the open shop offers the means of frustrating the organization of the employees; with others, it is looked upon as a refuge when hard pressed by the union. But this does not sufficiently account for the intensity of the open-shop movement. Its character is such that it can be due only to the dread of a possible misuse of the immense power combination has placed in untrained hands. That there is some ground for the distrust of unions cannot be doubted. There is danger in the sudden acquisition of power by the many.

The open-shop question has brought prominently to the fore the question of the abstract rights of the employer and of the workman. At the conference held under the auspices of the National Civic Federation in November, 1903, at Chicago, both sides based their arguments chiefly upon abstract rights which they considered irreconcilable. It seemed as though an exterminating war must follow this peace conference. The union advocates condemned the open-shop movement as a plot to destroy the unions; and the employers, with equal vehemence, denounced the closed shop as a monopoly-creating device. Each side threatened to fight to the last ditch what the other advocated.

Had the unionists and employers given the same consideration to each other's claims that they expected for their own, they might

have found a basis for an agreement as to their respective rights; and, having progressed thus far, they would have had less difficulty in agreeing upon a policy by which these rights could be conserved in practice. The bitterest opponent of unions will concede to workmen the right to organize and the right of such workmen to refuse to work with non-unionists. The most ardent unionist will likewise concede the right of the employer to engage non-union workmen if he chooses; nor would he hold that it is the employer's duty to drive his employees into the union. Such, in substance, are the rights asserted by the two sides, and, in a broad sense, they do not conflict. They are simply two aspects of the same principle of liberty. Conflict occurs only where one side, in pursuing its own rights, encroaches upon the rights of the other.

The moral right of union men to refuse to work with non-members is questioned by some. President Roosevelt thus expresses this doubt in his late message to Congress:

> "Wage-workers have an entire right to organize and by all peaceful and honorable means to endeavor to persuade their fellows to join with them in organizations. They have a legal right which, according to circumstances, may or may not be a moral right."

On its face, it does seem an arbitrary, although evidently a legal, act for workmen to quit work because of the presence in the shop of men who refuse to recognize their common interests. But in adjudging the morality of an act it is important that the incentive be considered. The solidarity of the workers being essential to their welfare, it follows that whatever measures they adopt to promote it are justifiable, provided they do not conflict with the employer's rights. Unless workmen were free to abstain from working with those inimical to their interests, they would be unable to preserve their unity. Should the employer act upon his right to engage only non-union men his conduct would be condemned generally as being unfair, unless the provocation were deemed ample.

There is no more sacred right than liberty, but the unlimited exercise of that right by a person would lead to the oppression of the rest. We are called upon, therefore, to put limitations upon our rights as conditions require. The possession of a right does not justify the fullest exercise of it under all conditions. Indeed, there can be no rights in the absolute sense in civilized society.

Rights are always conditioned upon the well-being of the whole. Abstractly speaking, the employer has the right to hire any one he chooses at the lowest wage; but in truth, if, by taking full advantage of that right, he serves to depress the standards of labor, he inflicts a wrong upon his fellows, and arrays himself against the public interest. Likewise, no one will dispute the laborer's right to set the highest possible price upon his labor, or to quit work when he chooses; but, if he carry the exercise of that right so far as to demand excessive pay for his services and, by quitting work with other workmen, to impose hardship upon the community, he also inflicts a wrong upon his fellows and arrays himself against the public interest. The welfare of society is and of necessity must be the final arbiter of all conduct.

The individual workman may do with impunity what the organized workmen cannot justly do, because of his inability seriously to affect conditions; but where, by combination with others, the workman possesses the power to inflict injury, then he, like the employer, cannot evade the responsibility that power begets. Still, workmen and employers prate about their "absolute" rights and brandish them like clubs over each other's heads.

But what are the "principles" in this controversy upon which so much stress is put? What is called "principle" is sometimes another name for "self-interest." When the employer proclaims the open shop as a principle, it is often not so much the ethical question involved that he has in mind, as the opportunity it gives him for increasing his profits; and it must be confessed that, when workmen raise the question of the closed shop, what they have usually in view is the means it offers them to increase wages. The principle at issue, therefore, is mostly a matter of larger profits or higher wages, but it is discussed, on either side, as though it involved something divine. When the employer finds that he is able to enforce the open shop, he suddenly becomes aware that there is a "principle" at stake, and that if he were to recognize the closed shop his business would become subordinate to the union. Likewise, unionists discover, when able to enforce their demands, that if they were to tolerate the open shop it would lead to the union's destruction. Previously, both sides were governed by policy in their dealings with each other, and the employer somehow managed to continue doing business with a profit while employing only union men, and the union contrived

to exist while members were working with non-union men. By repeatedly asserting a proposition as a principle, one may become so imbued with its ethical importance as to be confident that unless it be acquiesced in dire consequences must follow. This is the habit of mind that both employers and workmen are rapidly getting into over the controversy.

Should there be even an irreconcilable difference as to principle, what is to be done? Because two persons who must get along together differ in their conception of abstractions, it need not follow that they should fight it out until one succumbs to the other. Even then, the question would not be settled. They must both arrange to get along together somehow, notwithstanding their cardinal differences, and wisdom would dictate progress along the line of least friction.

The open or closed shop, as it has been shown, can be maintained without violating the rights of employers or workmen. There is a vital difference between being forced to give up a right, and deciding to suspend its exercise for practical reasons. This distinction may seem to be finely drawn, yet some of the largest disputes have taken place because of neglecting it. Many an employer will readily accommodate himself to a situation and employ only union men, but he will strongly protest against being bound by contract to do so. Even should he employ union men exclusively, he may reserve the right to employ others if he so desires. And so with the union workmen. When unable to help themselves, they will work with non-members; but they will resist an attempt to make them agree to do so at all times. The method by which the open or closed shop is upheld is the real question. There is no difficulty as to principle, if the acknowledged rights of either side are respected. The one condition that the union can justly insist upon is, that there shall be no discrimination against its members, and that the employees shall be treated with through their representatives. The natural disadvantage of the laborer entitles him to that consideration, and public opinion sustains him to that extent. Because, however, the closed shop would strengthen the union and enable the members to secure fair terms, it does not follow that it rests with the employer to uphold it. It is manifestly absurd to expect the employer to force the organization of his employees against himself. Even if he were to do so, it would prove destructive to the spirit of unionism. The

ability of workmen to organize independently is what gives unionism significance, and it is the resistance offered to the union that checks arbitrary tendencies. Unions, like individuals, seek to gain the benefits of struggle without the effort; hence the denunciations of employers for not granting what can come only through sustained effort.

The strongest argument urged against the open shop is that, if the employer were permitted to hire non-union workmen, the union workmen would soon be displaced and the union standards broken down. Undoubtedly, the employer would be inclined to discriminate, but that is a situation the union must meet by better organization. The employer could allege also on the same grounds that, by employing union men, he would lose control of his shop, and workmanship would deteriorate. The task of each side is to prevent the other from making unfair use of its power, not to seek to protect itself from oppression by curtailing the liberty of the other. The existence of such extensive and efficient unions as the railroad brotherhoods, which deal with a most powerful set of employers and never raise the question of the closed shop, shows conclusively that the recognition of the closed shop is not vital to the union's existence. There is, besides, the example of the successful British unions, which pursue a similar policy.

Where, however, the workers are so situated that organization becomes exceedingly difficult, conditions at the same time being such as to make their improvement specially urgent, it obviously would not do to apply the same rule that would work to advantage under normal circumstances. To promote self-dependence is the mission of society. In helping others, care must be taken not to impair their independence. Wherever possible, people should be put upon their own resources; but, when incapable of helping themselves, they must be assisted to become self-helpful. In the case of the sweating-trades, for instance, in which are employed immense numbers of helpless alien workers, the public welfare demands that they be organized, so that they may themselves combat the influences which bear down upon them. There it becomes also the moral duty of the employer to encourage the organization of his employees. He cannot exploit defenceless laborers, and satisfy his conscience with the plea that he is paying them all they are able to demand. The methods of unions grappling with such conditions could not be subject to the usual criticism.

While union workmen err in trying to use the employer to advance their cause, and in the methods sometimes employed to gain their ends, the employers do not help their case by the obviously specious pleas they make. It is manifestly absurd for the employer to say that it is because of his solicitude for the liberty of the non-union workmen that he desires the open shop. His motive is transparent. He wishes the non-unionist to be untrammelled so that he may pit him against other workmen. If he were so deeply concerned in the non-unionist's welfare, he could readily show it by paying him more than the market rate.

The non-unionist does not seem to take any pride in the liberty he is supposed to enjoy, neither does the unionist complain about the curtailment of his liberty by the union. The freedom of the non-union worker to work for as much or as little as he chooses invariably results in his working for less; the chance to work for more is not offered. A person may have liberty in the abstract sense, but not the opportunity to exercise it. That opportunity is often secured by organization. Organization is simply the instrument to that end, and it can be used either to suppress or to enhance individual liberty. That is the danger inherent in all organizations, and is the problem of civilization itself.

The employer is likewise insincere when he claims to be indifferent to the affiliation of his employees, and asserts that, in the event of being free to employ whomsoever he pleases, he would not discriminate against union members. It is not reasonable to suppose that he would not prefer workmen who have no resisting power, who are unable even to present a grievance. Should membership in a union come to mean something, his professed indifference would quickly vanish.

As the advocate of the open shop, the employer appears as the apostle of popular rights. The key-note of the open-shop plea is "liberty." The term has an American ring. It savors of freedom for the employee as well as the employer. Wherever, however, the open shop represents servile and poorly paid labor, and the closed shop independence and decent wages, the term means little, the conditions to which it is applied everything. Declarations of principle that are true under given conditions may work out far differently under other conditions. The employer having the advantage of position, he seeks to have all restrictions removed that were imposed upon him to offset his advantage.

The employer defends the right of a person to dispose of his labor as he chooses. As indisputable as that right is, when a workman is unable to dispose of his labor at a price he deems it to be worth, that right to him is meaningless. Workingmen, to have any choice in the disposal of their labor, must consult and act together. Otherwise, wages would be fixed by the necessities of the more helpless. Workingmen, therefore, have evolved a code of ethics based upon their obligation to one another.

There are two attitudes toward the worker which lead to opposite conclusions. One recognizes the community of interests of the wage-workers, owing to the uniform conditions which affect them; the other attitude treats the worker as a separate individual capable of securing just terms, acting independently. The soundness of either policy is determined by the degree in which the principle of free contract is promoted. The essence of a contract is that each party shall be able to refrain from entering into it without immediate injury. Fair dealing must be its basis, value being given for value. This is recognized in law, and a contract in which duress figures is invalid. If the pecuniary pressure is such that workmen are unable to secure a just price for their labor, the arrangement is hardly a free contract. The closed shop is the means by which workmen seek to exert a counter pressure. If, therefore, undue means are not employed to enforce the closed shop it is defensible on the ground of free contract.

Labor differs from other commodities in respect that it is perishable. The laborer being unable to wait for a favorable purchaser, he cannot, like the seller of merchandise, dispose of his commodity in the most lucrative market; hence, he is at a decided disadvantage. Individually, the worker is in a state of duress. By pooling his interests with his kind, he is able to bargain as a free agent. The purpose of society is to emphasize the ethical element, and the object of unionism is to humanize the law of supply and demand. To say that the laborer must be governed absolutely by a law that puts his energy on a par with an article of merchandise, that enables the purchaser to prey upon his necessities, is to deny him the right to use his intelligence in his own behalf. What burns deeply into the soul of the workingmen is that their share of the product should depend upon the number of their fellow workers seeking work. They cannot understand why their labor should be worth less, because of the surplus of workmen.

This situation they habitually submit to when unable to help themselves; but when they have learned how to remove the surplus from the market, they are puzzled to know why they should be denounced for doing so. The scarcity so created is an artificial one, it is said. Even so, what difference should it make? If it is proper to utilize the distress of others, why raise moral questions when workmen are able to turn the supply and demand principle to account for themselves? The very argument employed to sustain that doctrine in the general sense, the union can apply with equal force to support their position, no matter to what extremes they may go. An objection to the closed shop solely upon the ground that it interferes with the freedom of competition between workingmen cannot be sustained in the light of modern sentiment, which recognizes the need for regulation in that respect.

The social interest in the open-shop question is whether the closed shop gives the union a monopoly advantage, or whether the open shop leads to the suppression of the laborer. We can form a definite idea as to what the open shop would mean, but not so with the closed shop. Only in a small number of industries, of which the most important are building, glass-making, lithography, hat and cigar making, is the closed shop generally observed by agreement. So it is seen that, under the open shop so-called, the union can thrive despite the increased difficulty of organization, just as the closed shop can be enforced while the employer refuses to recognize it. What the effect of the closed shop would be, if generally observed, can be surmised but vaguely from present examples. The difference between the closed shop established universally, and the closed shop only here and there enforced and with difficulty, is so great that an opinion would be largely speculative. Judging by the unions as now constituted, we can conclude that, until the unions develop the needed self-restraint, and realize through experience their limitations, if the closed shop were to prevail generally, it would be as injurious to unionism as it would be to society. It can be said with confidence that there would not be within the union the power to keep it from going to excess, any more than there would be in corporations, should their sway be unopposed. The great task of conscientious leaders is to keep the members from going recklessly ahead, spurred on solely by their own wants and by their own conceptions of right. Every one must sympathize with the object of the union to better the lot of

the wage-worker. In doing that, it is liable, like all special interests, to go so far as to encroach upon the social welfare. There is a never-ending conflict between social and particular interests, and the problem of society is how to protect itself from the latter.

Organized workmen, because of their position, are unable to grasp as readily as others what the closed shop fully implies. They see the opportunity it offers them to improve their position. The employers and a considerable number of the public see the possibilities for evil. The unionist, like others, believes that he can be trusted with unlimited power, and he cannot understand why there should be this unwillingness to grant him more. It is not probable that public opinion will favor the closed shop as defined usually by the union because of the coercion it implies, or that the employing class will concede it without a struggle.

The untenableness of the closed shop as an issue having been demonstrated by the recent strikes, the unions should abandon it as an issue, while not relaxing their efforts to establish it by means which cannot be assailed. Their attention could then be confined to the improvement of working conditions, and their substance would not be wasted in an attempt to force a recognition of a principle as odious to the employer as it is to the public generally. Unionism would mean nothing unless it was able to maintain the closed shop without the employers' consent; and where it is upheld by the voluntary action and natural strength of the union it is impregnable. Some of the largest unions have agreements with single and associated employers which omit all reference to the employment of union or non-union men. The employers are free to hire non-union men if they so desire, and the employees are free to abstain from working with non-union members if that be found advisable. This also overcomes the objection that the courts have made, that provisions in union agreements excluding non-union men render them void and illegal. To meet the new conditions, unions must revise their methods. Makeshift tactics may suffice in dealing with petty and isolated employers; but to cope with the modern employer, allied in ever-growing measure with his compeers in a common defence, unions must depend upon the inherent strength of their cause and build upon the rock of voluntary organization. A union cannot be stronger than the loyalty and the intelligence of the units of which it is composed. The campaign against the closed shop may prove a boon to the

unions if it destroys sham unionism, and prepares the way for a harder kind.

Although, perhaps, no economic question has been more strenuously discussed than that of the open and closed shop, or involves graver consequences, still it cannot be considered an issue, because it is not a matter to be decided at the present moment or even in the near future. As the workers become better organized, the closed shop in fact will be observed correspondingly, and as their organization dwindles the open shop will prevail regardless of opinions. The controversy is simply a phase of the ceaseless conflict between the productive elements—ceaseless, because there can be no satisfactory way of determining what the share of each should be, although their underlying interests are akin. If an equitable wage could be computed there would be no occasion for friction; but that is inconceivable. What are satisfactory wages to-day, may not be so to-morrow. Human needs vary with the productiveness of the laborer. Wages, therefore, can only be adjusted in a rough way, much as the prices are fixed by a process of bargaining in which supply and demand determine.

It does not follow that this strife is injurious. It is rather a symptom of social vitality, of the awakening of the working-people to their possibilities. In only the most advanced countries do we witness this conflict. The problem is to keep it within safe limits instead of suppressing it. If suppressed, it would mean a listless working class, a condition infinitely worse.

The labor question, as we study it closely, becomes more and more a moral question. Its solution, it is found, depends as much upon keener conceptions of justice as upon economic enlightenment. Being, however, far from the day when equity alone will govern, right, to prevail, must still to an extent be reinforced by might. The situation that makes for the largest possible justice at present is where employer and employee are so strong as to compel respect for each other's claims. Obviously, however, the mere matching of strength will not suffice to prevent strife. It may tend to make conflict less frequent, but to become more destructive when it does occur. Only, therefore, as both capitalist and laborer are disposed to be fair in their dealings, are willing to make concessions in the interest of justice, will a condition of peace be approached.

HENRY WHITE.

D'ANNUNZIO'S "LA FIGLIA DI JORIO."

BY HELEN ZIMMERN.

It is generally admitted, despite the success that attended the revival of "Every Man," that the Old World dramatic form, known as Miracle or Morality plays, are spent as a dramatic factor, both as regards their substance and the spirit that animates them. And, certainly, re-reading some of these plays in cold blood, we rise from their perusal with the sensation that we have been for the moment face to face with an artistic manifestation which we no longer comprehend, a form whose essence seems to us irrational; that we have been bidden to fix our attention on events, persons and things that have no part in the life of our soul. These glorifications, these synthetic treatments of the great mediæval religious soul are seen by us as though looking across the broad, flowing waters of a mighty rushing river, on whose further bank objects pass in confused vision beyond the grasp of our clear ken. The rushing river is our modern life, tumultuous and varicolored, which, in its relentless onsweep, destroys many æsthetic and fantastic erections of the past, basing its action upon destructive rationalism, and on that spirit of analysis that undermines the fairest edifices. Only to a few of those profound spirits, to whom it is given to listen to the voices of the Ages, but who can also at the same time hear that of the present, both so dense with hidden harmonies, is the faculty accorded of recreating for us a vanished world, of guiding us mentally through the mazes of feelings and sentiments, unfelt and unfamiliar, that have become forgotten, that have been overwhelmed by the lapse of time. These men, and these only, can make it possible for us to realize these mental states with the color of the age to which they belong, to deal with them in a spirit which for want of a better definition we might call a "contemporary equilibrium."

The true and intimate meaning of the Morality plays was, curiously enough, borne in upon me when reading and hearing the "Figlia di Jorio," by Gabrielo D'Annunzio, his latest poetic play, hot with the turbulent blood of his native province, the Abruzzi.

The epoch in which the action is supposed to occur is not stated. The poet only says that "it was many years ago." But we, studying its informing spirit, a curious medley of Christian and Pagan sentiments, would feel inclined to locate it in the fifteenth century, in that age of the world's culture when the Morality plays still flourished. And this because we seem to see in the manners, the acts of the personages, in their processes of thought and reasoning, that strangely beautiful blending, that confusion, which lasted beyond the Middle Ages down into the full-blown Renaissance, a mental state that resulted from the Christian reconsecration of antique Pagan rites, customs and thoughts. Here, in this play, live again the vanished patriarchal world, at least such as we love to imagine it, wearied of our febrile, collective and complex life.

The determining forces which animate the action are all simple; they are the natural forces which developed and took permanent shape in ancient human society, the logical offspring of Nature and the Earth. The rites of Love and of Sorrow that always accompanied these peoples in their life and in their death are still served on their venerable altars, and the primitive sentiments of the heart gush forth from the life-springs of this reanimated family of the older time. It is given to us to follow them into their remotest origin, to lay bare their deepest roots. The primitive family, a minute and autonomous human society, is thus reconstructed, and from out its bosom springs all the poetry of home, that had its origin in the Latin race. From the home again is born a human religion, the "*Pietas*" of our elders, and Christianity has reinforced this conception, sanctifying the family by causing its Redeemer to be born in a lowly human home. To reconstruct the pure and simple poetry of the home is to reconstruct the poetry of religion, which in its essence is also pure and simple. And to rouse and revivify by a tragedy this gentle poetry is equivalent to rousing the soul of humanity, deeply implanted in the ground of home.

In the Middle Ages, religion and art were always conjoined, because a work of art was also a work of religion, blending all the

elements that contributed to form the moral substratum of the life and soul of the populace. Now D'Annunzio has given in this tragedy, in which religion continually crops up and is a determining factor, a renewed life to the rites, customs, sentiments and language of an ancient tribe, investing them with a new lustre, and blending them in a harmony that resembles in its unity the Greek art on which it is fundamentally based, for D'Annunzio always turns to Hellas for inspiration. Thus Mila di Codra, the daughter of Jorio, the witch doctor of Farne, held accursed by the populace, who sacrifices herself so tragically, seems the reflexion and the mediæval version of "The Suppliants."

Although by no means enamored of critical comparisons, which like all comparisons are odious, and often only an excuse for a display of useless erudition, it may not be useless to confront briefly D'Annunzio's latest tragedy with the work of Maeterlinck. In the latter, occult forces are ever at work, of whose nature it is only possible to catch fleeting glimpses through the mists of our unstable human life, and our intelligence wearies itself in striving to comprehend the ultimate purpose of this synthetic symbolism. Instead, in the "Figlia di Jorio," all is plain and simple, everything is comprehensible, there is nothing occult, and the wrappings of the human beings seem of crystal, so transparent are they, and so easy is it to scrutinize their very souls.

This is how the play develops itself. With the first act we find ourselves in the house of the peasant, Lazzaro di Roio, where the traditional nuptial rites are being celebrated for the marriage of his son Aligi, the shepherd, with the blonde and silent Vienda di Giave. As the relations arrive from different hamlets, bearing wedding gifts, there bursts in upon the assembly, terrified and breathless, Mila di Codra, the daughter of Jorio, a sinner and a wanderer, a sorceress and a witch, at least such is her popular reputation. She is pursued by a crowd of reapers, whose brains wine and the fierce summer sun combined have clouded, arousing all their most bestial instincts. The intruder implores protection by advancing towards the hearthstone, craving hospitality and shelter in the name of the gods of home. The assembly, filled with superstitious fears concerning the maledictions of sorcery that may descend upon the house owing to the woman's presence, revile her and call upon Aligi to thrust her out. This she resists; and, as Aligi raises his hand to strike her, it seems to him that he

sees standing behind the woman a weeping angel. A holy horror shakes his being; and, falling on his knees, he craves pardon for having violated the laws of the hearth. Meanwhile, the libidinous crew has come nearer, and stands outside the house, shouting obscene menaces and demanding in angry tones the restitution of the woman who has escaped them. Aligi, hearing them, rises from his knees and, detaching a crucifix from the wall, lays it upon the threshold and then opens wide the house door. The hideous mob, already about to enter by force, on seeing the holy symbol, are arrested in their mad career and fall on their knees, after which they slowly and silently depart. At that moment, the threshold is passed by the head of the family, the master of the house, Lazzaro di Roio, bleeding and supported by two husbandmen. He has been wounded by a rival in his ugly love for the daughter of Jorio. She herself, in the confusion, has fled from the house unseen. Thus ends the first act, so full of novel dramatic effects.

The second opens in a mountain cavern. This is Aligi's habitual home, to which he has returned, leaving his paternal abode and the bride with whom his nuptials are not consummated. Here, wholly unexpected, Mila di Codra has joined him. But their mutual love is and has ever remained chaste, as they state in sincere confession to Cosma, the hermit saint of these mountain fastnesses. Aligi has been engaged all this time in carving in wood the image of the mute angel whom he beheld weeping when he raised his stick to strike a supplicant for shelter. It is still incomplete, the feet are still hidden within the wooden trunk and the eyes are as yet but faintly outlined. It is Aligi's desire to take the image to Rome, laid on the back of his mule, and thus to bear it to the Vicar of Christ, to pray him to dissolve his marriage with Vienda and to unite him to the daughter of Jorio. Meanwhile, in his paternal home they have wept bitter tears for months in yearning for the dear absent one, and the bride is wearing to a shadow in agonized expectancy of his return. The father, Lazzaro, is still suffering from the effects of his wound, and this and illness render yet more acute his anger against his son and Mila. Seeing this, Ornella, the younger sister of Aligi, sets forth alone for the cavern, and, finding her brother absent, she implores the stranger to restore him to his family and to depart from thence. She fears her father's ire. And with reason, for, just as Ornella has extracted the promise from Mila and is about to depart, there

bursts in upon them, choking with rage and inflamed with lust, Lazzaro di Roio. He holds in his hand a lasso of rope; and with this he intends to obtain possession of Mila, as though she were a beast of the field; and it is while he is thus roping her that Aligi returns. Upon this, the father, in the conscious knowledge of the unlimited paternal authority which from all time is his over his offspring, menaces his son, insults him, strikes him, and at last commands him to depart from the spot. Aligi endeavors to resist these injunctions; upon which the two husbandmen whom the father has brought with him fall on Aligi, bind him and carry him off by force. Alone at last with Mila, Lazzaro tries to make her his by brute force. But Aligi, whom Ornella, ignorant of what had gone before, has unbound and freed, returns at this moment upon the scene, and, blind with horror, grief and rage, seizes the axe wherewith he had carved his angel, and, with a mighty stroke, fells his father to the ground.

The third and last act carries us back to the village and the paternal home. In the house, the village women-mourners are crooning the funeral lullabies of the south around the corpse of Lazzaro, while the people have seized upon the parricide and are judging him. He confesses his crime, and terrible is his doom. It is sentenced that his hands be cut off from his arms and his body be sewn in a sack, together with a fierce mastiff, after which the bag with its human and canine contents shall be thrown into the river at the point where its depths are deepest. The decree spoken, the villagers conduct Aligi fettered into the presence of his mother, in order that she may give him his extreme pardon and the cup of consolation. When Aligi is finally ready to be led to the place of execution, there arrives, running hastily, amid the shouts of malediction of the populace, Mila di Codra. She has come to save Aligi by sacrificing herself. She cries to the people, who have sought her in vain to wreak their vengeance upon her, that she had cast a spell of witchcraft over Aligi, that he is innocent, that he has confessed to a crime he never committed. It was she, Mila, she who murdered Lazzaro. Her only desire is to make full confession in the face of a just people. And the people, hearing this, fall on her and bind her, and loosen the cords that bind Aligi. But he cannot appreciate Mila's great act of self-immolation. In the cup of consolation, brewed for him by his mother, there have been mixed certain herbs that should render

him insensible to pain or knowledge, and the liquor has already begun its work of consolation. Wherefore, raving, beside himself, his mind distraught, Aligi curses the woman he should bless. And as Mila is removed amid the howls of the crowd towards the flaming pile that awaits her, in which witches and sorcerers are condemned to perish, Ornella alone, who knows her innocent, blesses her amid tears and wafts a kiss to her whom the angels await in Paradise.

Such is this tragedy based on the eternal truths that move the popular mind, for all primitive tribes seek to sanctify the domestic hearth and regard it as a sacred centre for defence and sacrifice, removing it mentally from the ordinary things of every-day life, and bestowing upon it an ideal life of its own. And this primitive force, living and active, ever till suppressed, was recognized as a spot where the hand of violence and injustice was stayed. The hearth represented the fatherland in miniature, and whoever did not pertain to it was a stranger. But hospitality extended the benefits of the family to the refugee who sought an asylum, and thus opened the field to civic piety and established the laws and rights of the weak. In his "Heraclides," Euripides, in one single line, expresses the essence of this institution of Sanctuary. "It is better to wage a war than to cede to those who persecute a suppliant." And Jove, according to Æschylus, was the god of supplicants and terrible was his outraged ire. Thus Mila di Codra invokes the sanctity of the hearth alone in her appeal to Aligi not to turn her out, and points out to him the enormity of the sin he is about to commit against the most sacred of all traditions; and the shepherd is seized by a holy fear and falls on his knees. The Mother plays the part of generative vigor. As the origin of the family she speaks the language of eternal truths to the new bride as she offers her bread, the emblem of purity and of renascent force. Lazzaro di Roio is also an elemental force, cruel and potent. The crowd is a collective force, but it does not resemble the chorus of the Greek tragedies, exterior and passive personages. Here it has life and takes an essential part in the action. It arrogates to itself the executive functions of justice. The influence of traditional passions obscures the thoughts of all these semi-conscious forces, intellect is held in abeyance by instinct and by the substrata of religious superstition.

Among these elemental forces walks, alone and mentally free,

an ardent soul, Mila di Codra. She is the type of woman who has broken her fetters and elects to be alone, the woman whom the ignorant mass persecute, calumniate, and regard as personified sin. She is, too, different from her surroundings, they do not comprehend her. Of necessity she must be held a witch. And it is her lot to cross a threshold just at the moment that the household is celebrating a domestic festival, at the moment when the most sacred ritual traditions are in vigor. She is a suppliant; but, at the same time, to them she personifies vice. And the family, despite the traditions of the hearthstone, ejects her, in order that she may not bring upon them the maledictions of sorcery, that she shall not contaminate the holy of holies.

D'Annunzio's tragedy is verily hall-marked with a national impress and brings into high relief all the patriarchal instincts of the Latin people. In the first and third acts, the elemental forces have unchecked play. In the second, the tragedy is purified by the influence of a pure love, which, under the circumstances, and in view of the personages, shines out the more nobly. And Mila, purifying herself thus for the holocaust, merits the tears and kisses of Ornella, the pure virgin, the while flower of pity and innocence. Her feet walk towards the beautiful and purging flames, that will give peace at last to the daughter of Jorio, whose very name has been a terror. Thus she avenges once again, for love and woman, the sublime spirit of self-sacrifice.

HELEN ZIMMERN.

JAPAN AND ASIATIC LEADERSHIP.

BY PAUL S. REINSCH.

WITH the last decade there has dawned upon the Japanese mind an influence far transcending any former national experiences,—the feeling of a sacred mission, by which the Island Nation is called to act as the guardian of Asiatic civilization, to summon the peoples of Asia to a realization of their unity, and to defend the ideals and treasures of Asiatic life against ruthless destruction through foreign invasion.

It is but a short time since the broader and more representative minds among the Asiatic races have begun to realize the unity of Asiatic civilization. The endless variety in speech and custom, the difference in character and temper between the Chinese and the Hindu, the opposite political destiny that has made one nation subject to foreigners while it has led another into an honored position among the independent Powers—all these differences can no longer obscure the deep unity of customs and of ideals that pervades the entire Orient. This unified character of Oriental life, in its essence so totally different from Western civilization, frequently expresses itself on the surface in customs and institutions which seem to us bizarre and even barbarous, and which invite the active reformer from the West to sweep them away and put in their place a more enlightened system. But whoever considers carefully the conditions of the Orient may arrive at a very different conclusion, and may see even in these apparently backward institutions the marks of a broad and noble ideal of life. The vastness of Oriental populations, the long duration of their institutions, create a feeling of permanence and peace. The frequency of natural catastrophes, the overpowering aspect of mountains, torrents, and typhoons, have given the Orientals an entirely deferential attitude towards nature,

which they have not tried to conquer or subdue. Busied rather with the causes of things and with the general laws of existence, they turn to religion and philosophy, and give but little attention to practical facts, to scientific control of the forces of nature, and to the betterment of social conditions. The pessimistic tinge of Oriental thought is due to this feeling of helplessness, which causes the world and existence to appear as a great procession of shadows, full of suffering and evil. But in all this impermanence, in the multitude of fleeting and ephemeral individual existences, the Oriental mind sees the manifestation of an omnipresent force—eternal change, symbolized by the figure of the dragon. The deepest feeling in Oriental thought is the poetry of vanishing life. The withered rose, whose fragrance has delighted us for a day, is but the symbol of the maiden's beauty and the grace and activity of the young warrior, who also fade and fall after a brief span, their places taken by a new array of budding spirits.

The intellectual bond which unites the Orient, and best interprets its deepest soul, is Buddhism. Resting upon the same philosophical foundation as Brahmanism, it really constitutes the missionary principle of the great Indian religion, through which the Farther Indies, China, and even the distant islands of Japan, were brought into touch with the original seat of Oriental thought and culture. The poetry of Oriental thought finds its most potent expression in the philosophy of eternal change and final annihilation of all sensible existence, taught by Gautama. This Asiatic religion of poetic insight is the expression of that higher ideal to which all the activities and ideas of Oriental life are tributary—search for the universal principle, together with endless variety in individual existence. Thus the rural locality is the real centre of Asiatic life. There is nothing like the European centralization of authority and culture. Local self-government, with little interference by the central authorities, the preservation of immemorial customs, not reduced to set form nor modified by conscious legislation, such is the framework of Oriental polity. In China, the village governs itself, while the Imperial government fills the function of a counsellor and defender. Industry is similarly decentralized; it is carried on in the homes of the artisans, where labor is not a curse, but a natural activity and manifestation of daily life, graced by the

artistic character which pervades all Oriental handicraft. High respect is everywhere paid to intellectual forces, not only in the lands of the Brahman and Mandarin, but in the more militant Japan. Practical religion is made up partly of an idealization and worship of the all-encompassing forces of nature, partly of a feeling of loyalty to the spirits of the ancestors, whose thoughts and work are embodied in the life and spirit of the nation to-day.

Of this vast and ancient civilization, Japanese life is the flower and concentrated essence. The foundation stock of the Japanese nation was animated by the nomad instincts of Western Asia, by the fierce courage of marauding tribes. The original basis of their national life is a worship of the past and of nature. Their temples commemorate the lives of heroes, but their festal days are not the anniversaries of battles; they mark the birth of flowers. In April, the multitudes begin their fond pilgrimages to see the blossoming cherry-trees, languid summer brings the nymphlike lotus, and late in fall the gorgeous chrysanthemum draws its crowds of worshippers from village and town. These earlier romantic and warlike instincts have been sobered and steadied by the social morality of Confucius, bestowed upon Japan by the Chinese nation, that great civilizer of Northern Asia. This system is often characterized as a congeries of mere platitudes; yet it has constituted an invaluable training in the simple and homely duties of neighborly life and in practical morality, a training necessary to the Orientals who are so idealistic, and so prone to overlook the near for the distant and mysterious. Coming last among all these influences, the poetical religion of Buddhism found the Japanese soul an especially responsive medium. The fleeting shadows of existence, lovely in their rapid succession and tragic death, the mystery of the soul, in which the memories of the past existence are reechoing—these were the forms of thought evoked by the great Asiatic religion in Japan. The flower of all these civilizing influences—Japanese art—was acquired from, and based upon, continental forms, and even now it best shows the historical development of the latter. Indeed, the genesis and progress of Oriental art can be studied in its completeness only in Japan, where the treasures of the past have not been at the mercy of succeeding waves of ruthless conquerors. But the Asiatic modes of art assumed an added re-

finement and poetical delicacy when they reached the Island Kingdom. The lovely background of a sweet nature, an inanimate world that is a melodious orchestra to the poetical drama of human existence, the spirit shadowings of former lives, the high heroism, the ready self-sacrifice of unselfish men and women, the delicate respect paid to the weak and old, the worship of heroic virtue, gave Japanese art a multitude of subjects in which to realize its most perfect expression.

In its passage to Japan, Buddhism underwent a great temperamental change,—its pessimism was softened and received a delicate artistic tinge. The insight into the deep mysteries of life which it affords has, with the Japanese, strengthened serious purpose and transfused the soul with pulsations of heroism. The tragic mood is the mood of greatness. Greek power and intellectual predominance declined with the tragedy, and our own England never furnished a higher revelation of spirited and energetic national life than when Shakespeare conjured up the tempests of the soul. Thus the undercurrent of Buddhist tragedy in Japanese life has not resulted in a debilitating pessimism, but constitutes a tonic inspiration to great deeds and to disdain for the petty and mean incidents of a mere bourgeois existence. While in Southern India vast populations have settled down to dreamy inactivity, thereto encouraged by the Buddhist belief in the nothingness of all existence, the spirit of Japan was better qualified to give the true interpretation of this deepest of Asiatic religions. Like her great English counterpart, Japan has assimilative talent of the highest order. But the intensity of her national life has enabled her to mould all the influences to which she has been subjected into a harmonious organic whole. This is chiefly due to the training she has always given herself in loyalty and social cohesion. These qualities have been put to a most decisive test in the last twenty-five years. While an unprecedented social change was going on, and while the entire mechanism of Western industrial life was being rapidly adopted, the leaders in this movement were animated with the desire not to copy Western civilization, but to assimilate those methods which would render them able to defend their own civilization against oppression or usurpation by the better armed nations of the world. No other hypothesis is possible, because it is unthinkable that a nation should give up its essential cus-

toms and beliefs, and still retain a unified and energetic national life. Thus while the Japanese have learned our methods and have successfully analyzed our system, they have remained loyal to the spirit of their own historic past. As the Western nations are becoming aware of this permanence of Asiatic ideals, they are beginning to be afraid of the new Power which has thus risen, and which must be counted with in any policy that would affect the destiny of the Orient.

The spectre of the yellow peril is thus evoked—the most chimerical phenomenon that has appeared in political thought since the Middle Ages. Russia has been encouraged to look upon herself as the St. George of the Western nations, called to wage war against the Oriental dragon. The real viciousness of this apparently harmless and hitherto modestly decorative creature was discovered by the German Emperor, who in his famous cartoon—a mixture of the styles of Gustave Doré and "Puck"—portrayed to the frightened imagination of Europe the terrors of an Oriental invasion. The military, industrial and racial peril with which Europe is thus threatened is the burden of the present song of Russian diplomacy, since the "treachery" of Japan in attacking before a solemn declaration of war has been fully exploited. Everywhere there is apparent a growing feeling of jealousy and suspicion of Japan's motives.

Yet it cannot be denied that the attitude of Japan, before and since the furies of war were unchained, has been unequivocal. She is fighting to prevent a European autocracy from conquering the mastery of Asia. Under the circumstances, it is a perfectly natural and honorable ambition to arouse the peoples of that continent to a feeling of the value of their civilization and of the solidarity of their interests. We naturally ask ourselves the question whether, considering the character of this civilization, we have reason to fear its purposes. Yet, as represented by the great nations that are its true exponents, its first characteristic is peacefulness. China has given her civilization to the nations that surround her on all sides, without any desire to conquer them or to exploit their wealth. The soldier is distinctly subordinate to the man of peace in the national ideals. India herself, while torn by the most terrible internal dissensions, had essentially a policy and philosophy of peace; her woes, like those which have periodically overtaken China, being due to the lack

of effective resistance inviting the foreign invader and conqueror. Japan, with all the warlike spirit in her blood, has still set the ideals of peace above those of war, as is seen in her national festivals, and in the temper of her artistic and social life.

The civilizations of the Orient are essentially sedentary. They cling to the soil of their birth with many tenacious roots. The sacredness of the fatherland, the worship of the ancestors, the reverence of their tombs, are all forces of strong attachment. Industrial work in the Orient is also essentially home-keeping. It is a household art, graced and enlivened by creative spirit. The harsh slavery of modern factory life is known only in some European settlements. When we consider the fundamental ideas and customs of Asiatic civilization, we cannot escape the conclusion that, should Asia be allowed to develop along natural lines, she could never become a menace to our civilization.

As a matter of fact, no more fantastic idea has ever played a part in serious politics, than that of the military yellow peril. We need not consider the natural barriers erected against such an attack, nor the fact that in the methods of modern warfare the defensive is relatively far stronger than the attack; but there is in present Oriental conditions and ideas not the least vestige that can be used as a basis for alarmist prophecies. Neither China, India nor Japan has ever engaged in offensive warfare of conquest. They have themselves suffered at the hands of the hordes at the memory of which the nations of Europe are still trembling; and it is one of the glories of Japan to have successfully repelled these invaders, who again and again overran the rich countries of the continent.

The thought of an industrial peril has *prima facie* more probability. But before indulging in sensational visions it is well to remember that the Oriental nations can excel us only through efficiency, and that, in order to become dangerous competitors, they must develop our industrial and financial mechanism, they must have among their workmen the intelligence without which our highly complicated machinery would be useless. Their labor can no longer remain cheap; for, without raising the standard of living, the efficiency of European and American workmen cannot be approached. At the present time, a factory girl in Massachusetts does the work which in Japan is performed by six people. Should the Oriental manufacturer, in the course of

time, be able to turn out the coarser products, the finer articles would still be made by us. Such a development would be a distinct gain, since, the richer our customers and the more productive their industries, the more will they be able to purchase from us. With all the development of Japanese industry in the last three decades, her imports from the Western nations have increased thirtyfold. Moreover, Japan would be the last nation to destroy the promising market of China by an overdevelopment of Chinese manufacturing industries. For, if Japan has any definite ambition, it is that of creating an active commerce throughout the Orient, and reaping the vast profits of a middleman. Should Japan be successful in the present war, the exclusive policy initiated by Russia and France would be definitely defeated. Not only has Japan given the most positive assurances of an opposite policy, but it would plainly not be to her interest to take any different course. As an Oriental nation, she is able to create the routes and organizations of commerce throughout the Orient, far more speedily and effectively than any European nation, even were it to Orientalize itself. The Japanese are aware of the fact that the merchants of the world do not have perfect confidence in their commercial morality; and, with the same energy with which Japan transformed her industrial system, she is at present striving to improve her commercial methods and the morality of her merchant class. The latter have become prominent only since the Restoration, before which they were looked down upon, as they were in the ancient Greek state, as a class hardly respectable. But better men are entering the field, and the nation has an earnest desire to answer the demands of our social morality, as well as of its own.

Should Japan carry out her mission, she will strive to preserve the specific character of Oriental civilization and industry. European capital will not be invited to transform the East, nor will the factory system be introduced so rapidly as to unsettle the native industrial life. The peculiar excellence of Oriental fabrics will be preserved, and the glorious art of the Orient will be given a new opportunity to unfold itself. It is not by adopting our methods that the East can become strong and great, but by living its own life, that is, the life of peace and artistic industry. No great military or industrial conquest can be made by a people that abandons its own civilization.

On the other hand, should Russia be successful, she will have a free hand to enforce the policy of exclusiveness which she has already announced to the world in her treaty with China. Her disregard of international law in the present war, while she was weak, gives ample earnest of what she would do were she strong. The evasive answer given to Mr. Hay's note concerning the "open door" policy is a most excellent illustration of her diplomatic methods. Japan, in the event of success, would not be strong enough to hamper and exclude European commerce, but she would be given the opportunity and the power to call the Orient to a realization of its own spirit, and to cause it to develop along its natural lines. It is difficult to see just how humanity is to benefit from any different course, from Russian exclusiveness or from a capitalistic invasion of Asia. They would certainly bring small profit to the populations of Asia, who would be forced into a new slavery, as well as to our own home industries, which would find in Asia a competitor in their own methods, led by European skill and backed by unlimited financial power.

In order that either the industrial or military yellow peril should become a reality, a total transformation of all the customs and ideals of Oriental society would have to precede. This can be brought about only through our own action. If by constant attacks, by acts of burning injustice, the Asiatic peoples are made to feel that they must abandon every other purpose and concentrate all their strength upon military preparation, their serried ranks may assume a threatening attitude. We have so far done our best to sow the seeds of future trouble. The treachery practised against Japan by three European Powers, the repeated attacks upon Chinese integrity, the missionary activity undermining the very basis of Chinese social life, the horrid massacres of 1900, where the cross became to the Chinese the symbol of bloodshed, rapine and thievery, so that the European who knows China best declared that centuries only could eradicate the memory—all these facts are directly calculated to arouse that very peril which statesmen profess to be so anxious to allay. Russia herself has taken the most efficient course to awaken the bitterest racial animosities. Her signal disregard of solemn promises and her utter contempt for the legitimate national ambition of Japan, have been followed in the present war by methods not calculated to allay national bitterness, whatever may be the outcome of the struggle. The

massacre of the marines on the "Hitochi," where a thousand Japanese soldiers on an unarmed vessel were cut to pieces by a machine-gun fire lasting for three hours, was in strange contrast with the saving of the crew of the "Rurik," which had itself taken part in that murderous affair. Through his refusal to permit the burial of the dead around Port Arthur, the Russian commander is surrounding himself with a wall of horror which must dismay the bravest of the Japanese assailants and burn itself forever into their memories. The Russian government has encouraged the idea that it is engaged in a holy crusade against pagans; even the generals are loaded down with amulets, and the religious imagination of the soldiers is assiduously worked upon. By thus appealing to the stolid masses, the Russian leaders are stirring up the bitterest and deepest feelings of race hatred.

Thus when we look for the real source of the yellow peril, we shall probably find it in the Russian absolutist party, who are looking for an indefinite lease of power from Oriental sources; we shall find it in the imperialistic imagination of Kaiser Wilhelm, who is trembling for Kiao-Chao while he makes himself believe that he is trembling for Europe; we shall find it in the French desire to expand the Indo-Chinese sphere; in the capitalistic system, which is ready to destroy the character of Oriental life and industry and transform the patient masses of the Orient into competitors to our own laborers. It is to be expected that these forces will attempt to annihilate the effects of a Japanese victory by preparing an international interference for the "peace of Asia." But woe to the peace of the world if such an arrangement were again concluded, with the clear purpose to deny the right of the Orient to live its own life and to protect its own ideals. The last vestige of belief in international justice would be killed in the Japanese, and the entire Oriental world would be forced to realize that its safety lay alone in stubborn, fierce resistance. The real yellow peril would then arise, though even then the forces thus evoked might confine themselves to a purely defensive action. It is the present duty of British and American diplomacy to prevent such an injustice to Japan and the consequent danger to the peace of the world. Japan is fighting our battle. This is so well understood that in Germany and France it is popularly believed that our governments are setting her on. The very least that the Anglo-Saxon races can do for the repre-

sentative of their policy in the Orient, is to counteract the diplomatic influence that would by roundabout means again deprive the Japanese of the fruits of their unexampled self-sacrifice. We do not mean to indicate that the Japanese will demand Manchuria. They are undoubtedly sincere in their promise to restore this province to China, but they have a right to demand that Russian intrigue shall forever be shut out from that country.

The yellow peril is of our own making. There is no irrepressible conflict between Oriental and Western civilization. On the contrary, they are complementary to each other, not competitive. During the last century our own civilization, torn by internal conflicts and troubled by uncertainties, has sought for broader views in Oriental thought; Japanese art has shown our artists a new way of beauty, in which, by painting light in all its splendid manifestations, a new vista of artistic possibilities has been opened up. The monistic thought of Oriental philosophy has been more and more approached and assimilated by our scientific system. Only narrow-mindedness can see in this civilization a danger which we must subdue; only ignorance can consider it as worthless and vicious. We can imagine no greater political crime, not only against the Orient, but against ourselves, than the attempt to turn Oriental civilization from its natural course of development into alien channels, to destroy its broad and noble ideals, its peaceful industrial life, in order to force it into a sham similitude with our system, with the result that its millions will be doomed to a new slavery to alien capital, or to the warlike ambitions of a victorious Czardom. Nor has there ever appeared in political discussion a greater folly than the effort to conjure up the phantom of a great warlike movement on the part of these essentially peaceful societies, and to preach the Machiavellian doctrine, "Destroy them before they can destroy us."

PAUL S. REINSCH.

THE PROPER GRADE OF DIPLOMATIC REPRESENTATION.

BY JULIEN GORDON (MRS. VAN RENSSELAER CRUGER).

UNDER that title, the Hon. John W. Foster, veteran diplomat and statesman, presented to the International Congress of Arts and Sciences which met at St. Louis in September last a notable paper, valuable to those who take a special interest in our diplomatic affairs. It points out the inconveniences resulting to nations in general, and to the United States in particular, from the ancient system of graded diplomatic rank, as definitely settled at the Congress of Vienna in 1815. The gravamen of the paper, so far as the United States is concerned, lies embodied in the following statement: "The most serious embarrassment resulting from this difference in grade of diplomatic representation is furnished by the relations at present existing between the United States and Turkey. For a number of years past, these relations have been in a most unsatisfactory condition. In no country of the western world could the old fiction of the ambassador as the personal representative of the sovereign to-day approach so nearly a reality as in Turkey, as the Sultan is more fully than any other monarch the personal ruler of the state. All the great Powers of Europe, and even the Shah of Persia, are represented at Constantinople by ambassadors, and they exercise the right of access to the Sultan at will, to discuss official matters. The American ministers plenipotentiary have represented to their country that it is very difficult to get any just and proper consideration and despatch of their business, because of the irresponsible character of the Secretary for Foreign Affairs or even of the Grand Vizier, as all important matters are determined by the Sultan; and that, as they do not possess the ambassadorial character, they cannot without great difficulty have audience with him to discuss official business. To

remedy this embarrassment, President McKinley caused application to be made to the Turkish government for the appointment by the two governments respectively of ambassadors; but the proposition was not accepted by Turkey. The condition of the interests of American citizens in that empire continuing to be very unsatisfactory, President Roosevelt renewed the application for the appointment of ambassadors; but it was again rejected."

That an evil, rising far above the level of mere inconvenience, now exists to the detriment of the interests of American citizens, because there is no diplomatic representative of the United States of ambassadorial rank at Constantinople, is beyond question. How shall it be remedied? Mr. Foster's only suggestion is that relief can only come when "all distinctions and special privileges are abolished and a single grade is established in all the capitals of the world." Certainly, no such radical change could be hoped for in the ancient forms of diplomatic intercourse, except through a general agreement to be made at an international congress, in which it would be necessary to overcome the settled and persistent prejudices of monarchical European nations in favor of the existing system. It is hardly reasonable to believe that such a conversion could be worked, if at all, within the span of a single generation. Does it not, therefore, behoove the United States to resort to a more prompt and promising expedient? The Act of Congress of March 1st, 1893, authorizing the grade of ambassador, is as follows: "Whenever the President shall be advised that any foreign government is represented, or is about to be represented, in the United States by an ambassador, envoy extraordinary, minister plenipotentiary, minister resident, special envoy, or *chargé d'affaires,* he is authorized, at his discretion, to direct that the representative of the United States to such government shall bear the same designation. This provision shall in no wise affect the duties, powers or salary of such representative." It thus appears that, whatever be the urgent need of this country for an envoy of ambassadorial rank, at a particular time or place, the President is powerless to take the initiative in appointing him. Not until the government to which he is to be accredited has actually taken the first step, does the law in question become operative. Here is the primary difficulty to be dealt with, which seems to have escaped Mr. Foster's attention. Foreign governments, far older than our own, are naturally sensitive on that

point. They feel that their dignity requires that, in the appointment of ambassadors, we should take the initiative in the full sense of the term. As Mr. Foster well says: "Reciprocity of grade is not always observed. A representative of a lower grade is sometimes received from a country to which one of a higher grade is sent." If we saw fit to send an ambassador to Constantinople while the Sultan is represented at Washington by a minister plenipotentiary, certainly he should regard it officially only as a compliment. Is it not then far more practicable for Congress to so change our laws as to authorize the President to appoint ambassadors, regardless of the prior act of any other nation, whenever one is specially needed at a particular capital, than to call an international congress for the purpose of abolishing an ancient and deep-rooted institution?

But to this suggestion Mr. Foster would, no doubt, reply that the failure of Congress to provide additional and adequate pay for ambassadors renders it undesirable that their number should be increased. On that subject he has said, with force and feeling, that: "An envoy who is sent abroad to represent his country ought not to be expected to maintain a more expensive establishment than is warranted by the salary paid him, and yet every American ambassador accredited to the capitals of Europe, who in any degree meets the expectations of his countrymen, spends annually much more than he receives from the National Treasury. . . . The change of the American legations to embassies in the European capitals seems to have called for the maintenance of large houses or palaces and a much more lavish style of living, which have so greatly increased their expenditures that only persons of wealth can afford to accept these posts. It is a sad day for any country, but more especially for a republic, when its highest offices cease to be rewards of merit and fitness, and when they can only be filled by rich men." Here Mr. Foster has put his finger upon the sore spot which demands prompt and complete remedy, as it involves the dignity of a great nation. Certainly, there was a day in this country when, regardless of the pomp and state which they could maintain from their private purses, men of real distinction were sent to foreign courts as specimens of the genius of the American people. Money made is a brevet of brains, but inherited is an accident. It is a tradition that when Washington Irving, who had already published "The Conquest of Granada" and

"The Alhambra," desired to return to Spain in 1842, he sought Mr. Webster, who, as Secretary of State, remained in Tyler's cabinet after his colleagues broke with the new Executive. The modest request of this most modest of men was that he be allowed to enjoy, upon his return to Spain, the perquisites due the bearer of despatches to the minister to Spain, then about to be appointed. Mr. Webster gravely told him that if he would call the next day he would, after conference with the President, answer him. In the interview that followed, after a long prelude, Webster told Irving, with apparent embarrassment, that he was exceedingly sorry circumstances over which he had no control made it impossible that his request should be granted. When, in the best of humor, Irving attempted to make his way out, Webster, with a genial smile, explained to him the fact that he could not be commissioned as the bearer of despatches to the new minister to Spain as he was himself to fill that office. In the same generous spirit Bancroft, Motley, Lowell and Wallace were sent abroad on the strength of their literary laurels. Certainly, no country in the world is more able, or really more willing, than our own to sustain, in a becoming manner, its diplomatic representatives in foreign capitals. There is, certainly, no desire that the men who have the right, by virtue of their gifts, to represent us should be set aside to relieve our government of charges which other governments bear. And yet, through a strange carelessness and a false conception of what the nation owes to its own dignity, this very important matter has been neglected, until our changed and larger relations to the world's politics have made it a subject for urgent consideration.

Those who have seen anything of diplomatic life in European capitals, no matter whether in London, Paris, Berlin, Vienna, Rome or St. Petersburg, have been impressed by the salient fact that its centres are the embassies or legations founded by the several governments at their own expense, and maintained as permanent official establishments. As all the world knows, the English embassy at Paris, purchased by the Duke of Wellington from Pauline Bonaparte for the British Government about 1817, has since remained the residence of the British ambassador, and is as familiar an institution in Paris as the Foreign Office in London. The European idea is that such residences should be not only official, but permanent, and that the ambassadors or ministers should

go into and come out of such furnished houses just as the Presidents of the United States go into and come out of the White House. Above all, the place must be official, the place of the government to which it belongs, and not the private residence or social enterprise of the particular incumbent. No sporadic outlay of money, however lavish, by a very rich man, who has perhaps stumbled into diplomacy because he is rich, can constitute an establishment which is official in the European sense of that term. And here is the crux of the whole matter, so far as the present American plan is concerned. It is a mistake to suppose that our condition is improved by a rich American diplomat breaking out at Paris or Berlin with a palace whose rent consumes more than his whole salary, when the fact remains that he may be succeeded by a poor man who is forced to take modest apartments in some obscure quarter. The inequality which thus results produces a grotesque and undignified effect. It simply increases an evil which must be magnified each year unless it be decided that no American, however accomplished or distinguished, is eligible to diplomatic office, if he is unable to maintain its dignity out of his private purse. What the United States requires in European capitals is permanent and official diplomatic residences, in which all envoys, whether rich or poor, shall be expected to reside in a condition of quiet and unostentatious elegance consistent with republican institutions. Palaces are neither necessary nor desirable. The need is for elegant residences provided by this government, and furnished by it in such a style as to enable its representative to maintain its dignity without meanness or ostentation. If, in each capital, every American envoy were required to live in the house provided by the government, there would be produced at once an external uniformity in the outward life of each which would conceal the difference between the rich merchant diplomat and the brilliant, yet poor, scholar diplomat. It is true that the former could give more dinners, and pour out more champagne, and serve more truffles, than the latter; but otherwise their general mode of life would be equal. To provide such houses, it is not at all necessary or desirable that we should purchase them. Property-owners in Europe are only too willing to make long leases, with the right of renewal, to a government as a tenant; while the cost of furnishing would not be very considerable. When a careful calculation is made, it will be found that adequate unfurnished residences can

be leased in all the European capitals at an annual cost of less than a hundred thousand dollars for all. How petty an expenditure, when compared with the end to be attained! Thus relieved of the burden of providing houses, our ambassadors and ministers could get along very well on their present salaries. If the salaries were simply increased, without a provision for permanent official homes, no real good would be accomplished, because the chief evil would remain.

There never was a better time than the present for the accomplishment of this urgent reform, made more necessary than ever by our increased importance in the world's diplomacy—an importance not imperial, but democratic. The triumphant election of President Roosevelt proves beyond all question that his popular tendencies, his equal regard for the poor and the rich, have endeared him to all classes of the American people. His Secretary of State, whose popularity extends beyond his own party, is, like his chief, a member of that class of literary men from whose ranks American diplomats were, at one time, chosen. Certainly, two such statesmen would be willing to lend a helping hand to a reform which could not but appeal with peculiar force to both.

JULIEN GORDON.

TARIFF REFORM.

BY CHARLES J. BULLOCK, ASSISTANT PROFESSOR OF ECONOMICS IN HARVARD UNIVERSITY.

I.

THE problem of tariff reform, like the poor, seems to be ever with us. Repeated victories for protectionist policies have often made it appear a dead issue, but it has never proved to be a satisfactory corpse. Twenty years ago Congress thought it had found a happy solution of the matter, in the Act of 1883; but in a comparatively short time the accumulation of an enormous surplus revenue made the reduction of federal taxation a live topic for political discussion. After a decade of controversy, in which the fortunes of the contestants varied and a peculiar complication of issues was caused by the rise of the silver question, the protectionists believed that they had won a definitive triumph when, in 1897, they placed the Dingley law upon the statute-book. The country seemed to have been convinced that the crisis of 1893 had been induced by a tariff law enacted in 1894; while the revival of prosperity in 1898 was commonly attributed to the Act of 1897. *Post hoc, ergo propter hoc* was the all-sufficient argument in the latter case; *ante hoc, ergo propter hoc* was the conclusive logic employed in the former. Tariff reform had been once more consigned to the grave, and the protectionists chanted a solemn requiem for the repose of its soul; yet it had been slain by logic so foul that its troubled spirit has never ceased to disturb the dreams of the beneficiaries of the present law. The dead issue has again awakened to new life, and has found fit embodiment in a growing demand that certain clauses of the existing tariff shall be revised.

Popular discontent with the Dingley act is based upon at least four separate reasons, which appeal with varying force to different sections of the country. In the first place, there are many pro-

tectionists who believe that the tariff was intended to stimulate the growth of infant industries, and feel that it has now fulfilled the purpose for which it was designed. Even Mr. McKinley, in his address at Buffalo, intimated that certain duties are no longer needed on this score, and suggested that they might be used as a means of negotiating for commercial advantages in other countries. Then the increased exportation of manufactured products in recent years has given added force to this contention, since it is hard to demonstrate that there is urgent need of protecting an industry that can maintain a continuous trade in foreign markets. Moreover, remarks about the pauper labor of Europe lose their impressiveness when French and German statesmen begin to consider measures for protecting their countries against the competition of American workmen.

A second reason for dissatisfaction developed when our manufacturers began to organize trusts. From the very inception of their favorite policy, protectionists have been compelled to meet the standing objection that their system benefits particular classes at the expense of the rest of the community. Free-traders have asserted that the Government, when it levies a protective duty, holds up the consumer at the custom-house while the domestic manufacturers go through his pockets. The answer of the protectionists has always been the same as that which Hamilton advanced in his famous "Report on Manufactures": "When a domestic manufacture has attained to perfection, and has engaged in the prosecution of it a competent number of persons, it invariably becomes cheaper. . . . The internal competition which takes place soon does away with everything like monopoly, and by degrees reduces the price of the article to the minimum of a reasonable profit on the capital employed. This accords with the reason of the thing and with experience." It is no part of our present purpose to consider the relative values of the objection and the answer; our only object is to point out the fact that the argument for protection has always rested upon the assumption that domestic competition ensures fair treatment of the consumer. Even Hamilton conceded that it "is not an unreasonable supposition that measures that serve to abridge the free competition of foreign articles have a tendency to occasion an enhancement of prices"; and his followers have invariably adopted the line of defence which he employed. Now, it is self-evident that the

growth of trusts has invalidated, to a damaging extent, the traditional argument in defence of protection; and it is not strange that of late the present tariff has been roughly handled even in the house of its friends. "Our infants," as a prominent Republican recently remarked, "have become big enough to rob the old man."

The next ground of complaint is found in the duties that are now imposed upon certain raw materials. The tax on hides has aroused lively opposition among the boot and shoe manufacturers of New England. That upon coal attracted general attention during the anthracite strike, and our people have learned that it was "sneaked" into the Dingley bill by the sharp manœuvres of a malodorous Pennsylvania boss. The duties upon wool are exorbitantly high, even from a protectionist point of view; and they are serving to narrow that portion of the woolen market in which the competition of other fabrics is seriously felt.

A fourth reason for discontent appeals to those who desire freer commercial relations with Canada. From the Atlantic to the Pacific and from the Rio Grande to the Great Lakes, Americans may trade with Americans without let or hindrance. But on our northern border a chain of custom-houses draws a dead-line beyond which trade may not be pushed, save upon payment of heavy fines. The protectionists, it is true, have always attached a profound economic significance to the imaginary line which separates American from Canadian soil; but their arguments have never appealed with great force to business men who have desired to prosecute a profitable trade beyond our northern frontier. In recent years our merchants have watched the growth of a movement toward the establishment of an Imperial customs union, by which Great Britain and her leading colonies would accord to one another mutual advantages that would be denied to other countries. Duties that discriminate against American imports have already been laid by Canada, and it is not impossible that Great Britain may yet accord to Canadian wheat preferential rates over American. Thus a renewed interest has been aroused in reciprocity with our northern neighbor.

And so it has come about that the politicians are observing the temper of their constituents, in order to ascertain whether it is safe to refuse to modify the present law. Upon every hand, it is recognized that modification will mean a reduction or a repeal

of existing duties; of an increase, absolutely nothing is heard. Eight years ago, the protected industries had good reason to think that the favors which they had extorted from Congress were safe for a generation to come; to-day, they are upon the defensive, and fight merely to retain what they now have. He would have been deemed a rash prophet who had ventured to make such a prediction in the year 1897.

II.

At a moment when a reduction of protective duties seems to be only a question of time, it may be worth while to invite attention to a simple object-lesson of the benefits that flow from unrestricted commercial intercourse. The writer does not imagine that absolute freedom of trade is to be established; and he would not argue that an immediate repeal of all duties would be desirable, even if that were possible. But it does seem probable that protectionism reached the height of its power in 1897, and that the future belongs to the advocates of a more liberal policy. If, then, we have finally reached the top of the divide, it is time to prospect the country that lies beyond.

A careful survey of the ground, it is believed, will demonstrate that a system of free exchange involves nothing that is essentially different, in its economic nature, from what the people of the United States have practised in their domestic affairs for more than one hundred years. Over a territory nearly as large as the whole of Europe, our Constitution established absolute freedom of trade, and under this policy all sections of the country have grown and prospered. Of this a striking object-lesson may be drawn from that fastest stronghold of protectionism, the State of Pennsylvania; and this, too, from the commonwealth's leading industry, the manufacture of iron and steel.

In 1870, the iron trade of Pennsylvania was located chiefly in the eastern part of the State, near the deposits of iron ore as well as the anthracite coal-fields that supplied the principal form of fuel then used in smelting. During the next twenty years, however, revolutionary changes occurred, and the seat of the industry was transferred to the vicinity of Pittsburg. This revolution was due principally to two causes. In the first place, bituminous coal, mainly in the form of coke, superseded anthracite as the fuel for the blast-furnace; and this favored the growth of iron manufactures near the bituminous mines in the western part

of the State. Then, in the second place, the ores produced in New York, New Jersey and Pennsylvania were largely displaced by those secured in the region south and west of Lake Superior. This circumstance, also, compelled the migration of Pennsylvania's iron trade to a location nearer the rich mines of Michigan and Minnesota. Connellsville coke and Lake Superior ores have been the decisive factors in determining the supremacy of the Pittsburg district; without them, the progress of recent decades would have been impossible.

Pennsylvania was fortunate in possessing the bituminous coal that has given to Connellsville coke its exceptional availability for the purposes of the ironmaster; but, in respect to the supply of iron ore, her situation was far less favorable. Since 1860 the cost of manufacturing steel has been so greatly cheapened that this material has largely displaced iron, and its production has increased enormously. The greater part of the product has been obtained by the processes invented by Sir Henry Bessemer, although other methods have found increasing employment in recent years. Pennsylvania has large deposits of iron ore; but the output of some mines contains too much sulphur or phosphorus to be of Bessemer grade, while other ores, although freer from these troublesome substances, yield a relatively small proportion of pure iron. In both of these particulars the ore that comes from the Lake region is unexcelled, and improved methods of mining and transportation have enabled it to find its way into remote Eastern markets. Thus it has come about that Pennsylvania ores have played an insignificant part in the recent development of the steel industry of that State.

Another result of the increased use of Lake Superior ores has been the rapid growth of the iron and steel trade in Ohio and Illinois. A considerable part of the ore is transported to Chicago, where it is smelted with fuel brought from the mines of Pennsylvania or West Virginia; still more is carried to Toledo, Cleveland, and other points on Lake Erie, where it is claimed by the ironmasters of Ohio. Connellsville or West Virginia coke can be brought to these points at comparatively small expense, and the manufacture of iron and steel has increased with leaps and bounds. In 1880, Illinois produced but 85,000 tons of pig iron, while in 1900 her output was 1,469,000. In the former year, Ohio's product was 489,000 tons, and in the latter it rose to

2,559,000.* Twenty years ago, these two States produced only one third as much pig iron as Pennsylvania; to-day the proportion has increased to nearly two-thirds.

Attention has been called to these facts because they show the important part which the introduction of Lake ores has played in the recent growth of the iron and steel trade of the United States. The industry has naturally gravitated toward the West, Ohio and Illinois have forged their way to the front, and Pennsylvania has maintained her position as the leading producer only by making strenuous efforts to secure the best available ores at the lowest possible cost. If she had failed in this, her sceptre would have passed to other hands; so that her steel industry to-day is an eloquent witness to the importance of free trade in the raw materials upon which its success depends.

III.

So much for the historical facts and their obvious interpretation. We may now consider what would have been the result if freedom of exchange had not existed. Let us suppose that in 1880 Pennsylvania had been an independent commonwealth, free, therefore, to regulate her external commercial relations in whatever manner she might desire. She had important interests that centered in the production of iron ore; she had also a dominating position in the iron and steel trade of North America. Both of these industries, doubtless, would have claimed the fostering care of the Government, and would have been protected by substantial duties upon the importation of competing products. Free trade with such a foreign community as New Jersey would not have been tolerated for a moment, and the boundary line between the Keystone and the Empire States would have possessed profound economic significance.

Suddenly there arises in this blest land of protection, whose peace is never disturbed by the voice of a free-trader, the spectre of impending ruin to one of its great industries. Upon the southern shores of Lake Superior some wonderful iron mines had been developed, and it was rumored that even greater deposits

* Equally interesting are the figures showing the production of steel in all its forms. In 1880, Ohio and Illinois manufactured 628,000 tons of steel products, and Pennsylvania's output was 1,483,000. In 1900, the former States produced 4,222,000 tons, while the latter manufactured 8,503,000.

had been discovered still farther to the west. In 1860, the entire output from this region was hardly more than one hundred thousand tons, and the intervening distance was so great that it seemed impossible that the ore could ever be brought into Eastern markets. Under such circumstances, Pennsylvania had been content to impose upon iron very moderate duties, which had been "scientifically" adjusted by a commission of "experts," so that they precisely covered the difference between the cost of production in the best mines of New York or New Jersey and that which prevailed in the poorest local mines that it seemed worth while to keep in operation. But now the development of the resources of the Lake region and a great improvement of means of transportation had enabled Michigan ores to come into Pennsylvania over the barrier set by the protective duties, while, moreover, the steel manufacturers were showing a decided preference for the imported product. By 1880 the output from the Lake Superior mines almost equalled the amount produced by Pennsylvania, and it seemed that a veritable inundation of Western ores was about to take place.

Immediately the owners of iron mines began to clamor for higher duties. They represented enterprises which, according to a census taken that very year, employed nearly nine thousand men and a capital of $17,621,000. Upon this imperilled industry the livelihood of nearly fifty thousand people depended. Could the land that had produced an economist like Carey and a statesman like Kelley idly watch the destruction of such important interests?

When the question was first raised, the steel manufacturers contended that the duties were already too high, because the welfare of their industry depended upon their ability to secure good Bessemer ores. This action called forth a long letter from "Pig-iron Kelley," who justly rebuked the steel men for their selfish attitude. He showed them that protection must be a national policy that applied equally to all industries, and intimated that the representatives from the eastern counties would vote to remove the tariff upon steel if the people from the Pittsburg district refused to deal fairly with the producers of iron ore. When Mr. Carnegie, the spokesman of the steel manufacturers, replied that there was no adequate reason for increasing the existing tariff on ore, Mr. Kelley retorted that, in Pennsylvania, the burden of

proof would always fall upon the person who advocated any duty of less than one hundred per cent. In the end the manufacturers, seeing that the battle was going against themselves, withdrew their opposition to the demands of the miners, in consideration of a substantial increase of the duty upon steel. Thus, after a number of minor industries had received similar inducements, the legislature raised the duties upon all iron ores to a flat rate of three dollars per ton.

The rest of the story is quickly told. Events proved that the steel industry could not be developed upon any large scale without an abundant supply of the Lake Superior ores. This fact was perceived by the people of Ohio, who immediately repealed all duties upon these valuable raw materials. Happily for that State, the domestic production of iron ore had always been so small that the miners were unable to make any effective opposition. If Ohio had been unlucky enough to possess large deposits of ordinary ores, her industrial development might have been seriously checked, because her people had always favored the general policy of protection. But in this case it did not seem worth while to cripple the steel manufacture for the sake of an industry that employed less than two thousand men. Thus it came about that the ores which Pennsylvania rejected contributed to the rapid development of the steel industry of her neighbor. Ohio levied no duties upon the coke which her manufacturers brought, under very favorable conditions, from Pennsylvania and West Virginia, since here again there was no local interest strong enough to stand in the way. Pennsylvania was able, by means of heavy duties, to preserve the local market for her iron and steel manufactures; but in all neutral territory Ohio's ironmasters established their complete supremacy. In the course of time, Mr. Carnegie, abandoning an unequal contest, built enormous plants at some of the Lake ports of Ohio, and reduced the capacity of his Pittsburg mills to the demands of the "home market." Pennsylvania had protected her iron mines, but had lost the magnificent steel industry that might have been hers for less than the mere asking.

IV.

We have left the domain of history to dwell for a time in the realm of hypothesis, for the purpose of enforcing the principle that freedom of exchange is favorable to the highest development

of the industries of a community. Granting, for present purposes, that there may be exceptions to the rule, the general truth of the proposition finds striking confirmation in the example which Pennsylvania affords.

Usually, when an appeal is made to the experience of the United States under the policy of unrestricted domestic trade, the protectionist argues that with foreign commerce the situation is radically different. If the iron miners of Pennsylvania were injured by the introduction of Lake ores, Minnesota and Michigan received great benefits, so that the country, as a whole, lost nothing. But he contends that the importation of cheaper *foreign* products throws domestic labor and capital out of employment, and reduces to that extent the opportunities open to home industry.

It is precisely at this point that the experience of Pennsylvania will enable us to detect the fallacy of the protectionist's argument. He assumes that the field of investment is limited to the opportunities that are utilized at any given time, and that, if producers are driven out of any existing industry, they cannot find employment elsewhere. In this respect, his theory is precisely like that of the trade-unionist who would prevent a laborer from doing all the work he can reasonably perform, or would oppose the introduction of a new machine, in order to avert a possible reduction in the demand for labor. Both perceive nothing but the immediate injury done to a certain number of persons by the introduction of a cheaper commodity or a labor-saving appliance; yet their argument is not wanting in plausibility, since they can point to something that is seen and tangible.

Most of us are convinced that machinery does not permanently reduce the demand for labor, even though it may effect a temporary displacement; and the same thing is true with the importation of a cheap commodity. Pennsylvania has imported Lake Superior iron, and this ore has been largely substituted for the product of her own mines. The census of 1880 showed that the State produced at that time 2,185,000 tons of iron ore; while the statistics gathered by the Geological Survey place the product for 1900 at 877,000 tons. Free trade has destroyed the larger part of what was formerly a great industry, mine after mine has been closed, and labor and capital have been thrown out of employment. So far as Pennsylvania is concerned, the iron from

Michigan and Minnesota was precisely like an import from a foreign country; and the protectionist's theory would compel him to affirm that the industries of the State were decreased by the introduction of these ores. Yet we know that the development of the Lake Superior mines has been of the greatest benefit to Pennsylvania, as well as to other States.

The explanation of the problem is found in the fact that the field for the investment of labor and capital in Pennsylvania was not limited to the opportunities that were utilized in 1880. Cheap iron made it possible to develop the manufacture of steel at an astonishing rate; while cheap steel benefited almost every other industry in the State. The loss occasioned by the closing of certain mines was insignificant, when compared with the advantages derived from the trade in Lake Superior ores; and Pennsylvania would be poorer to-day if she had been able to place a prohibitory tariff upon iron twenty years ago.

Our conclusion is, therefore, that the introduction of a new import simply forces labor and capital into other branches of industry, and does not permanently narrow the field of investment. If some initial loss is occasioned by the displacement of certain domestic enterprises, this is more than counterbalanced by the saving which the consumers are able to effect, because the consumers of any article will generally outnumber the producers. When the imported commodity is a raw material, the advantage may accrue in the first instance to those who use the article for industrial purposes; but, in the end, the benefits will be diffused among the masses of the people. Until we can foresee some limit to the growth and diversification of human wants the result can never be otherwise.

By an appeal to the actual experience of one of our leading industries, we have endeavored to show that freedom of exchange involves nothing that is essentially different from the conditions that have always governed the internal trade of the United States. If we are soon to enter upon a more liberal policy in respect to external commerce, it may be reassuring to realize that we are not embarking upon a voyage in unknown seas. Students of our economic history may safely indulge in the belief that at the end of the journey lies no wholly unfamiliar land.

CHARLES J. BULLOCK.

THE PANAMA CANAL FROM A CONTRACTOR'S STANDPOINT.

BY GEORGE W. CRICHFIELD.

In his very interesting discussion of the Labor Problem on the Panama Canal, in the July number of the Review, Brigadier-General Hains overlooked certain important considerations affecting the number and character of employees required for that work. But before proceeding to consider his suggestions with reference to the best methods of doing the work, let us examine briefly the nature of the undertaking itself.

From Colon to Bas Obispo, a distance of twenty-nine miles, the territory is practically one vast *manglare;* that is, low marshy land, covered with the densest tropical growth of trees, vines and underbrush, so as to be entirely impenetrable in most parts, except for a man with heavy boots and a machete. During the rainy season, or about nine months in each year, the larger part of this territory is covered with water, which, as the wet season draws to a close, in places becomes stagnant. The ground is of the softest, richest loam, the product of the decay of thousands of years of dense tropical forests, and this, under water, becomes mud of the worst nature, filled with rotten logs, stumps, poisonous vines, thorns, dangerous prickly plants, and many trees of poisonous sap. The mosquitoes in these unending swamps are terrible, not alone in their number, but in the amount of poison which they convey in their stings. In these dense undergrowths, where the sun cannot penetrate, they are as numerous and vicious by day as by night; and it will be utterly impossible for workmen on this section of the Canal to protect themselves against their bites. I have stood behind a transit in just such a jungle, when, even at midday, I would be so thoroughly covered with mosquitoes that it would be difficult to tell the texture of my clothing, while from

the same cause the blood would be oozing in drops from all parts of the bodies of our horses, which were in camp. This mosquito poison produces the gravest consequences. Malaria in its most malignant form, frequently resulting in death, is due principally to the poison from mosquitoes, while a large percentage of the nervous derangements, which so seriously affect the heart and are so prevalent in tropical countries, are due to the same cause.

The horrors of the *manglare* are not yet fully described, nor indeed can they be. Snakes, of the most venomous type, are to be found without number. Strange to say, the most dangerous snakes are small, so that among the leaves it is almost impossible to see them.

For an ordinary white man, without experience, to attempt to penetrate these jungles alone means death, and nothing but death. Only natives, accustomed to the forests, and masters of the machete, are at all competent for the task. The climate in this section of the Canal zone is intolerable. Amateurs who take ship from New York to Colon in January, the best month of the dry season, and spend their time mostly under the shade trees on the beach in front of the Panama Railway Company's hotel, enjoying the sea-breezes, may return and report that the climate of Colon is all right, and that there need be no great mortality in digging the Canal. But the sea-breeze scarcely moves a leaf in these mighty jungles, and for nine months there is rain, rain, nothing but rain; while, at intervals, in the sticky, humid, suffocating atmosphere, the sun breaks through the clouds with a broiling, overpowering heat. The dry season is not long enough to enable the water to dry up, and even during that season there are showers and drizzling rains nearly every day.

These, then, are the unfortunate topographical and climatic conditions over more than half the territory through which will run the Canal. On the Pacific side, from Panama to Pedro Miguel, a distance of nine miles, a somewhat similar condition exists, but by no means so bad. The Canal there passes through extensive marshes, and great hardships and loss of life will inevitably be sustained in this section, but nothing in comparison with what will be experienced on the Atlantic side.

The intermediate section comprises what is known as "Culebra Cut," about eight miles in length, extending from Pedro Miguel to Bas Obispo. The ground here rises with considerable abrupt-

ness from each of the places named, and at Culebra, the lowest part of the ground is 330 feet above the level of the sea, while the hills extend much higher. This is the most picturesque and healthful section of Panama. Yellow fever never reaches Culebra, except sporadically, even when epidemic at Colon; there are no mosquitoes to speak of; and there is no reason why an army could not be encamped in any part of this territory as safely as upon the heights of the Hudson. The United States marines have been for a long time located at various points in this section, in perfect comfort and health.

I.

The preliminary report submitted by Admiral Walker's Isthmian Canal Commission contemplates the building of an immense dam at Bojio, a distance of seventeen miles from Colon. This dam would extend nearly half a mile, between two mountains, or high hills, crossing the channel of the Chagres River. Between Bojio and Bas Obispo the country is almost level, shaped like a dish, with a rim of higher ground surrounding it. The building of the Bojio dam will convert this territory into a large lake, with a surface of twenty-five or thirty square miles. It is argued that by this plan it will only be necessary, between Bojio and Bas Obispo, to do very superficial work along the Canal, the course of which would be indicated by buoys through the lake. Double locks would be constructed at Bojio, sufficient to lift the vessels ninety feet; and, of course, corresponding locks would have to be built on the Pacific side. Every time a vessel passed through the Canal, a large amount of water would be lost at the locks; while the overflow at the spillways would be continuous, so that it is necessary under this system to make provision for supplying the upper section of the canal with at least eleven hundred cubic feet of water per second. The auxiliary works required for the Canal, if this plan be adopted, are in themselves engineering problems of great magnitude, and it is to be feared that their cost, and the difficulties in the way of their execution, have been greatly underestimated. The foundations of the great Bojio dam, for instance, must be sunk more than 100 feet below the surface of the earth, in order to encounter a rock foundation, across the path of a treacherous and at times torrential stream. All the material must be transported long distances, and the work done under the climatic conditions above described. The other collateral works

contemplated by this plan are on an almost equally gigantic scale, and their magnitude and probable cost are sufficient to warrant the most searching investigation before the definite adoption of such a plan. Whether the Isthmian Canal Commission is fully committed to this particular lock-system is unknown.

The advocates of the lock plan have brought forth half a dozen schemes in times past for overcoming the Culebra Cut. One plan contemplated a series of six locks, to raise vessels 125 feet; and another ten locks to raise them 170 feet. By the latter system, two great dams would be required, one across the upper and the other across the lower Chagres, forming two lakes. One not familiar with engineering work can form but an inadequate idea of the massive masonry required for the construction of these dams and locks. If there is any merit at all in the lock system, it would appear that ten locks would be better than four, and two lakes better than one, for that would save 170 feet of cutting in the Culebra district instead of ninety. Indeed, it is difficult to avoid carrying this argument to its logical conclusion, by suggesting that, if the principal object is to get across the Isthmus with a minimum of digging, it would be better to abandon the idea of a canal entirely, and construct instead something after the plan of Captain Eads's fantastic ship-railway. De Lesseps figured that a lock canal would require 85,000,000 cubic yards of excavation less than a tide-water canal, and that $120,000,000 would complete the work, but his figures were entitled to no weight whatever. As a matter of fact, no one, even up to the present time, has given anything like an accurate estimate of the cost of the enormous auxiliary works which are indispensable in a lock system. De Lesseps spent about $300,000,000, of which $200,000,000 were stolen or wasted, and he never pretended to commence work on any lock or dam.

II.

After having made a careful study of the Canal on the ground in January and February last, I am constrained to dissent from the plan proposed by the Canal Commission for the construction of the work, as I likewise differ from the suggestions made by Brigadier-General Haines as to the methods of its performance. The Canal Commission, government engineers generally, and most writers on the subject, speak of a lock system as though it were a foregone conclusion, with its dams, reservoirs, aqueducts,

spillways, etc. No one seems to entertain the thought of a deep-sea Canal; it is taken for granted that locks are necessary; and the very mention of Culebra Cut calls forth exclamations of amazement at its vastness, and speculations as to the number of years necessary to accomplish the gigantic task of cutting it. In order to make this cut ninety feet shallower than would be necessary for a deep-sea Canal, the engineers stand ready to sink tens of millions of dollars in locks, dams and other appurtenances. To me all this seems a stupendous mistake, and I venture the prediction that, if the Canal is built on such a plan, it will not be fifty years until the United States will tear all these locks and dams out, and dig the Canal as it should be dug now—that is, forty feet below low tide-level.

Notwithstanding its apparent magnitude, the Culebra Cut is unquestionably the safest and easiest part of the Canal. It is the only place where white men can live and work in security. In that space of eight miles, machinists, engineers, contractors, foremen, laborers, superintendents, everybody connected with the work, will live as safely and comfortably as they could in New York or Illinois. The machinery required for handling material such as that in the Culebra Cut is of the simplest character, and comparatively inexpensive. An overhead cable, with a hoisting-engine, such as was used on the Chicago Drainage Canal, is the principal thing needed, and one of these will not cost over $10,000 installed for service. Where there is earth the skips can be loaded by steam-shovels; if there is rock, drills are necessary, but these are not costly. How to handle the Culebra Cut is the simplest and easiest problem connected with the Canal. Obviously, the work should be let in sections to private contractors. The proposition for the United States Government to attempt this work by day labor seems unwise. Uncle Sam is an excellent policeman, but he is a poor contractor. Work done by the Government is notoriously slow and expensive, hedged about with red tape and circumlocution. A Government department is the very graveyard of originality, energy and enterprise. Under such a method, every time the Chief Engineer had the earache, work all along the line would be demoralized until he recovered. Questions of rank, precedence, authority, political pull, and a thousand other extraneous matters would be injected into the enterprise, while Boards, Commissions, Investigating Committees, Congressional

junkets, would become as numerous as holidays in Latin America. Every Congressman and Senator would have his protégés to be shouldered on to Uncle Sam, and Panama would become the paradise of all the high-salaried loafers in the country. Besides, the legitimate administrative machinery for executing the work in such a manner would be cumbersome in the extreme, easily disorganized, liable to become the football of politics or to fall to pieces of its own weight.

The same remarks apply to any plan of awarding the contract to one large company. No contracting concern in the world has the resources, or, what is of more importance, the skilled superintendence and trained organization necessary for handling such a mammoth work. Nor can we afford to put the Canal at the mercy of the possible failure or mismanagement of any single corporation. In such a case, death or bankruptcy might seriously retard the work, while bad faith or incompetency might cause entanglements which it would require years to unravel. By letting the work in sections to many separate contractors, the nation would get the benefit of the judgment and experience of an army of men—superintendents, experts and foremen—who are accustomed to deal with and overcome all manner of obstacles. If one or more contractors should fail, or prove unequal to the task, no general demoralization would result, and there would be others fully equipped ready to take their places.

Culebra Cut should be divided up into twenty sections at the very least, possibly more, and each section should be let to a responsible contractor upon competitive bidding. If the Government would pay seventy-five per cent. of the value of the work, every two months, upon partial estimates, as the work progresses, a contractor with $200,000 capital could very easily handle one of these sections. The brainiest, most pushing and progressive contractors in the United States are not millionaires, but a responsible man of experience would have no difficulty in getting financial backing to that extent for a work of that character. Every contractor on the Culebra Cut should be required to establish one overhead cable for each one hundred linear yards of his section, with the corresponding tools and equipment necessary to keep it occupied. He should work night and day, stopping for Sunday only. The men should work in three shifts, the first from midnight to eight in the morning; the second from eight in the

morning to four in the afternoon; and the third from four in the afternoon to midnight. If the Culebra Cut were handled in this manner, there would be no difficulty in completing it, to a depth of forty feet below the level of the sea, in three years after the machinery was installed. Most of this machinery ought to be installed within ninety days after the contracts are let, for it is of the simplest character, and is carried in stock by the large supply houses. Establishing one cable-way for every one hundred yards for the whole length of Culebra Cut would mean about 150 cable-ways, costing somewhere from $1,500,000 to $2,000,000. Each of them should handle daily 500 cubic yards of excavation, working in three shifts of eight hours each, allowing twenty minutes to each shift for intermission. That would mean nearly half a million cubic yards a week, or the entire quantity estimated by the present plan in two years.

III.

The remainder of the Canal will be incomparably more difficult; and, notwithstanding the alluring figures made by the engineers, I predict it will prove vastly more costly. The great loss of life will occur between Colon and Bas Obispo, and the victims here will inevitably be numbered by the thousands. An American unaccustomed to tropical climates who accepts employment on this section will, more often than otherwise, pay the penalty of his ignorance with his life. All the Sanitary Boards on earth cannot prevent a frightful mortality in this section. There is no method known by which such vast jungles can be cleared of mosquitoes, and these malaria-breeding pests are more to be feared than yellow fever or small-pox.

This work should likewise be let by contract, in sections; but, as the work is largely dredging, it will be advisable to increase the length of the section. It would be a large contracting company which would attempt to dredge out more than one mile of this part of the Canal, and it would be advisable to let the work from Colon to Bas Obispo in twenty-nine separate contracts. On the same basis, nine contracts should be let from Panama to Pedro Miguel. This would be a total of fifty-eight separate contracts which the Canal Commission ought to make, and it is to be hoped that nearly that number of independent contracting concerns would take part in the work.

IV.

The question of making a deep-sea Canal, while we are about it, must be looked at, not only from the standpoint of the engineer or contractor, but from the broader view of practical statesmanship, which should ever be considering the future. Brigadier-General Hains remarks: "The Isthmian Canal Commission fixed upon 740 feet for the length of the locks, yet the ink with which the members penned their signatures to its report was scarcely dry before it was reported that the Cunard Line was about to begin the construction of one or more ships that would be too long to go through them." But if the Canal Commission was in error on such a vital yet simple matter, it cannot be assumed that its judgment is infallible on those greater and more complicated phases of the problem which it may require years or generations to develop. From the standpoint of the engineer or contractor, any plan of the Canal would be studied with reference to its practicability, first cost and future maintenance. But the statesman, whose opinion should be that of the great American people, while paying due regard to the engineer's or contractor's view, should look at the work with reference to the purpose for which it is designed to be used. Unquestionably, the transcendent object which the American people have in digging the Canal is to provide for the national defence. We speak of the Canal as a great work intended to promote commerce, and so it is incidentally; but not in a hundred years would this Canal have been built if that were its only object. Heavy freight is now shipped from San Francisco to New York by the Horn for six or seven dollars a ton. The cost of transshipping goods by the Panama Railway is by no means exorbitant; at least, it is not sufficient to justify such a vast undertaking from purely commercial motives. The fact is that the trip of the "Oregon," during the Spanish-American war, was a vivid object lesson to the whole American people. The vast extent of our coast, and the supreme importance of being able to reach all parts of our domain by interior lines, were impressed upon our people in a never-to-be-forgotten manner. The Canal is essential to our national defence, particularly if we should become engaged in war with a great naval Power. Peace conventions may talk of disarmament, and well-meaning writers may advocate a neutral Canal; but the moment we have war with a great naval Power, the United States will be compelled, as a

matter of self-preservation, to fortify the Canal, and defend it by every method in its power, for the purpose of permitting the passage of our own vessels, and preventing those of the enemy. From a military and naval standpoint, every fact and argument is in favor of a deep-sea Canal. To defend a deep-sea Canal implies merely fortifications at Colon and Panama, with some good iron-clad monitors in either harbor. No large body of land troops would be necessary, and the few needed could remain usually in the Culebra district. But how would we defend the Canal if it be built in accordance with the plans of the Isthmian Canal Commission? A stick of dynamite from the hands of an Indian would blow up the costly Alhajuela dam, or the Bojio dam, or the locks at Miraflores or Pedro Miguel, or the Gigantic Spillway, and an accident to any one of these would render the Canal useless for months or perhaps years. In the face of an alert enemy, it would be necessary to guard every one of these points, and many others, with a large standing army, for a small force might be surprised and overcome before reinforcements could reach it. As most of these works are to be located in the low country above described, it must be evident that our troops would die by the thousands, if compelled to remain there for the protection of the Canal during a war of any considerable length. Aside from the dangers of hostile invasion, our own experience with large dams, notably at Johnstown and Fort Worth, is anything but reassuring. The Bojio dam is designed to withstand the power of the Chagres, a stream which, during the heavy tropical rains, is a veritable torrent. No engineer can assert positively that that dam will stand. It will require years to build it; yet it may be swept away in an hour by a flood, or destroyed by an earthquake, or it may give way for any one of fifty reasons which the wisest engineer cannot foresee, in such event rendering the Canal absolutely useless, until it should be reconstructed. The cost of maintaining and operating a lock canal would be heavy, and even if a tide-level canal should cost $50,000,000 or $100,000,000 more, it would be cheaper in the end.

V.

Coming back to the contractor's view-point, I will express the opinion that the first cost of a deep-sea Canal would be absolutely less than that of the one proposed by the Commission, with

its enormous dams and locks. No one can probably estimate within $25,000,000 of what the Canal will actually cost, so that statements made on this phase of the case are, necessarily, largely conjectural. The United States engineers evidently believe that vast sums will be saved by their plan of construction, but all the figures which I have seen, and all my experience in contract work in the tropics, lead me to a different conclusion. Brigadier-General Hains's estimate of the number of men required for the work may be taken as an illustration. He allows 1,000 men, each, on construction of the locks at Bojio, Pedro Miguel and Miraflores, or 3,000 on locks; 1,000, each, on the Bojio dam, the Alhajuela dam, and the Gigantic Spillway, making a total of 6,000 men on dams and locks. He estimates only 1,000 men necessary for dredging purposes, and 3,000 at the outside for work at Culebra Cut; so that, according to his figures, nearly twice as many men would be employed on these appendages of the Canal as on the work proper. Personally, I do not think any such proportion would be necessary in actual construction; but it seems clear that the men required for this collateral work would be sufficient to make up the difference in the excavation of a deep-sea Canal. The bulk of this difference is comprised in the additional ninety feet which it would be necessary to cut at Culebra. It seems certain that if, in a given length of time, 3,000 men could finish the excavation of Culebra Cut to a depth of 270 feet, the addition of 6,000 men would finish the additional ninety feet required to make a deep-sea Canal, in which case all this tremendous system of dams and locks would be dispensed with. At all events, it would certainly be easier to figure definitely upon such items as dredging and excavation, than on all the complicated elements necessary to be considered in the lock system, involving foundations of uncertain materials in treacherous soil, the strains on huge masses of masonry, and a thousand other things not at present thought of.

VI.

With reference to the character of labor best adapted to the work, and the method of dealing with that labor, Brigadier-General Hains thinks that the Southern negroes "would furnish an excellent class of labor for work on the Isthmus," and that "they should be quartered in buildings provided by the Government, supplied with good, wholesome food, a certain amount of

light cotton working-clothes, and medical attendance." It is to be feared that the General has never had any experience in working negroes in the tropics. Give the average Southern negro "good, wholesome food," "light cotton working-clothes and medical attendance," and he would not do one good day's work in a month, unless an overseer stood over him with a lash, a thing which our Government could not permit. It is doubtful if a thousand million dollars would complete the Canal on such a plan. Despite the almost universal impression to the contrary, the Southern negro is totally unfit for work in the tropics. Every attempt to establish colonies of Southern negroes in Mexico, or other tropical or semitropical countries has resulted, not alone in failure, but in an appalling loss of life from small-pox, homesickness, and other causes. The negro is only an emotional child. He may make a brave dash on a battle-field, if a band is playing; but alone in a dark jungle at night, he is the veritable image of terror and despair. The Southern negro lives in a climate which, on an average, is magnificent. His work on the cotton plantations is exceedingly light, while that on the Panama Canal will be the heaviest in the world. The negro has not the power, which the white man possesses, of adapting himself to conditions, or overcoming danger. In Jamaica, Curaçao and Trinidad a sprinkling can be obtained of fairly good negro laborers, who have worked in mines in Colombia and Venezuela, and are therefore familiar with the rigors of the torrid zone, but little reliance can be placed even on those. They are a lazy, quarrelsome good-for-nothing lot, victims of constitutional diseases, and of an indolence even more deeply seated. If transported to Colon, the Southern negroes would die by the thousands. Homesickness would claim more victims than dysentery or malaria. But, whatever the cause, the sensational press could be relied upon to make the most of it, to the discredit of the National Administration, and the scandal of every official connected with the work. I have handled thousands of laborers of all nationalities on heavy works in the tropics, under precisely the conditions existing on the Isthmus, and I have found negroes to be the least desirable class. They are a positive detriment and nuisance, eating and wasting more food, calling for more medical attendance, doing less work, and causing more trouble than any other class.

In my opinion, the best and most available labor for the Canal

will be found among the native peons of the lowlands of Mexico, Central America and South America. These people are mostly descendants of the old Spanish *conquistadores* and the Indians. They have been accustomed all their lives to conditions such as prevail on the Isthmus, so they will not become panic-stricken on account of mosquitoes, snakes, rain, small-pox or yellow fever. These men are of slight build, but wiry and strong; mostly ignorant but exceedingly imitative, learning to do ordinary work in a marvellously brief space of time. Among the Mexicans, considerable numbers of engineers for steam-engines can be found, with a smaller number of fairly good mechanics.

On all sections of the Canal the civil and mechanical engineers, superintendents, foremen, and machinists should be Americans and Germans. Few Englishmen will be found adapted to this work; while, as a rule, Frenchmen and Spaniards are out of the question. Occasionally, a good Italian or Austrian foreman can be obtained, while many of this class, thoroughly acclimated, will be found capable of running hoisting-engines, etc. To talk of Chinese, or coolie, labor is a waste of words. Aside from questions of public policy, the Chinaman would be almost as worthless as a Southern negro, on the banks of the Chagres. At least eighty per cent. of all the ordinary labor on the Canal should be Latin-American peons, and at least the same proportion of the superintendents, etc., should be Americans and Germans. In the category of the Latin-Americans, I would place the Filipinos, who are descendants also of the Spaniards and Indians, and likewise accustomed to tropical jungles. Foremen should be selected, if possible, who are familiar with the habits and characteristics of these people. If handled properly, kindly but firmly, justly and without fear, with due regard to their peculiarities of disposition and temperament, these men will make the very best labor it is possible to obtain on the Canal. They should be made to board themselves, houses should be rented to them at a very low price, and medical attendance provided them free, or at a nominal charge. Gambling and the carrying of weapons should be prohibited, and the use of intoxicating liquors strictly regulated.

VII.

The thing for our Government to do, at the very outset of this great work, is to guard against red tape, and the next thing is to

prevent unnecessary waste of money and effort on things which are not essential to the main undertaking. The French spent vast sums in banquets, in buying needless machinery, in making lateral ditches, in drawings, and in numberless other ways. Never employing more than 30,000 workmen, they had an army of 3,000 or 4,000 clerks and office men. The chief function of most of these worthies appeared to be to wear silk hats, drink champagne, and draw big salaries. The plans alone of the Canal, made by the French, would fill a large room, and cost several millions of dollars. Why they should want the hundredth part of those plans, no practical contractor can imagine. A profile of the Canal itself ought to be almost as simple as that of a railway of the same length; while, according to my views, no plans at all are needed of the auxiliary works, for the simple reason that the works themselves are unnecessary. It is to be feared that the American engineers will follow in the footsteps of the French, in the production of vast numbers of elaborately detailed but unnecessary drawings. There has been so much time and money spent in this sort of work that I am almost tempted to say that we should go ahead and dig the Canal first, and make the drawings of it afterwards. A man who knows anything of construction work becomes disgusted at the evidences of French mismanagement visible everywhere along the line of the Canal, and impatient of anything which savors of delay. Millions of dollars' worth of machinery are scattered for fifty miles in utter ruin. Everywhere there is proof that the French spent money on every imaginable side issue, and on every scheme conceivable except the main work. It is evident that there is only one way to finish the Canal, and that is to dig dirt, but the French seem to have tried every other method. Shall we follow in their footsteps? Shall we waste millions on collateral issues, such as dams, reservoirs, locks, aqueducts, etc., instead of digging dirt as we ought to do? Shall we fuss along with this work for the next quarter of a century with a handful of Southern negroes? I believe that from 100,000 to 150,000 men can be advantageously employed on this Canal, and that it ought to be finished before the end of the next Presidential Administration.

The construction of the Canal should be regarded in precisely the same manner as the prosecution of a war. The sooner it is finished the better. It would be wiser to spend $200,000,000 or

even $300,000,000 and get the Canal completed in three or four years, than to have it drag along for twenty or thirty years at any price. The contractors doing the work should be paid good prices, and the most untiring activity should be demanded of them. In a battle, no general requires his officers to make detailed reports of the number of ounces of powder consumed, or calls them to account for having fired more shots than were probably necessary. On the contrary, his chief concern is that the enemy shall be defeated and at once. Having due regard to correct business principles and honest administration, the United States should avoid picayunish methods in connection with this great work. The proper policy is to pay good prices to the contractors, treat them liberally, and insist upon the best and promptest service possible. Contractors should be required to pay good wages to their men, and treat them fairly and liberally, giving employment to every man who can be advantageously used. Niggardliness should be avoided on the one hand, and the extravagance of the French on the other.

The United States ought to be advertising to receive bids at the present moment on all sections of the Culebra Cut. That work is perfectly simple, and any engineer ought in a month's time to draw specifications for it. Contractors should have sixty days in which to submit bids, and in ninety days after the award of the contracts, they should commence work. Within four years after work is commenced, the biggest steamship in the world ought to be able to pass from one end to the other without interruption. With from sixty to a hundred contractors, each working in three shifts daily, and employing from 1,000 to 2,000 men, with adequate machinery, there is no reason why this work should drag along for any great length of time. But if our engineers spend another year or two getting up plans, and the Government does the work with 8,000 or 10,000 Southern negroes, supplying them with "good food" and "clothing," our great-grandchildren will probably not see the work finished, nor will their great-grandchildren see the end of the payments on account of the expense which it will involve.

GEORGE W. CRICHFIELD.

THE ARMENIAN CHURCH IN ITS RELATION TO THE RUSSIAN GOVERNMENT.

BY SAMUEL GRAHAM WILSON.

A CRISIS has arisen in the history of the Gregorian-Armenian Church. This crisis pertains to the whole Armenian Church, but has special relation to the million and a half Armenians who inhabit Transcaucasia. Etchmiadzin, the primitive seat of Gregory the Illuminator, and the six dioceses into which the Armenian Church is divided, have during the past year been the scene of agitations and protests, of demonstrations, popular and clerical, and of incipient rebellion against the Czar and his administration. The Armenians of Transcaucasia are stirred to their hearts' depths, and moved to action as even the massacres in Turkey did not move them.

What has precipitated this crisis? What has occasioned such a sudden and unexpected ecclesiastical and national ferment? I shall answer these questions, not as an advocate of either side, but letting the facts speak for themselves.

I. The immediate cause of this ferment is an ukase of the Czar regarding the properties of the Gregorian-Armenian Church and its endowment. This edict was issued on June 12th, 1903, in accordance with a decision of the Administrative Council, acting on the advice of Prince Galitzin, the Governor-General of the Transcaucasus. It decrees that the Russian Government shall take immediate possession of all the properties and funds pertaining to the Armenian churches, monasteries, religious institutions, church-schools, and seminaries — namely lands, cultivated or uncultivated, of whatever name or kind, forests, fields, fisheries, mills and shops, and cash funds. These shall be taken from the control of the Armenian clergy and institutions. Endowments and funds at interest shall be delivered to the Minister

of the Interior, while properties shall be given over to the administration of the Minister of Agriculture and Government Properties. The decree applies also to all properties and funds that may in future be donated or bequeathed to the Church or its Institutions. It does not apply to properties in St. Petersburg and Moscow, nor to land actually occupied by churches, monasteries, parsonages, and parish schools, or in use for cemeteries and gardens surrounding them which are not a source of income. It professes to preserve the right of ownership to the Gregorian Church, but declares that the present administration is contrary to the interests of the Government and even of the Armenians themselves. It assures them that the income and interest shall be paid to the Church institutions, priests and parishes, after deducting the cost of administration, taxes and repairs, and five per cent. to be used for a capital for the benefit of the Church. Any questions or doubts about the interpretation of this ukase shall be decided by the Minister of the Interior, and not referred to the courts for decision.

These Church properties consist of such remnants of donations and bequests from the faithful during sixteen centuries of the Church's history as have escaped the hands of the spoilers. Some villages, mills, and water-rights belong to the monasteries, and the villages have in the past paid their rents to the Church. These lands are, however, small in amount and do not in themselves create any question. Of late years, considerable endowments have been given for the schools and seminaries. The amount involved is not more than $75,000,000. The grief and indignation of the Armenians arise not so much from the loss of the property, though they regard that as virtually confiscated. Their sorrow proceeds from the fact that they see in the decree a forceful measure against the independence of their national Church, whereby their clergy, from the village priest to the Catholicos, with their monasteries and seminaries, are bound to and made dependent on the Russian Administration, and the whole Church prepared to be more easily constrained to enter the fold of Orthodoxy. They see in it a further advance toward crushing out their national life and amalgamating them with the Russian race.

II. Let us briefly indicate the conflicting desires and aims of the Russian Government and the Armenians.

After the Russo-Persian war of 1828, the Armenians of Transcaucasia, with Etchmiadzin, their ecclesiastical centre, and their Catholicos, passed under the rule of Russia. Then Czar Nicholas I. gave a constitution to the Armenian Church, called Polojenya. In it Russia assumed the right to direct the internal affairs of the Church. It appointed a Russian procurator to reside at Etchmiadzin, to supervise all proceedings of the Synod, and especially to control the election of the Catholicos. The power of the latter was gradually restricted. Continual friction between the Church and the Government caused increasing irritation and distrust.

The Czar's Government has a definite and decided purpose. It aims to amalgamate the Armenians with the Slavic element, first by extending the Russian language among them, and secondly by bringing them into the Orthodox fold. When schools were authorized among them, it was stipulated that the Russian language should be taught. Undoubtedly, a knowledge of Russian is advantageous to the Armenians, yet after seventy-five years, it is estimated that only three or four per cent. of them read or speak Russian. Bringing the Armenians to accept the Græco-Russian faith was regarded as hopeful, because the Georgians had been so easily converted. There was organized in the Caucasus a "Society for the Propagation of Orthodoxy," which receives funds from the Government, but its conciliatory advances have not met with any marked success. Russian efforts have rather been of a repressive nature. They have striven to strangle Armenian national aspirations and check their national development. Regarding the Church as the head and centre of the race, they have sought to curtail its privileges, abridge its ancient prerogatives, and bring it into submission, with the hope of ultimate organic union.

On the other hand, the Armenians were alert and active, not only to resist these endeavors, but to work out an ideal of a greater future for themselves. The national spirit manifested itself in the founding of schools, libraries, theatres, newspapers, and philanthropic and publication societies. These in turn have helped to develop the national spirit. The watchword of the movement has been, "Our Race." It has developed a patriotism which is intense, fervid, overpowering. It has aimed at the preservation of their language and the development of a new national literature, and at keeping the race free from admixture with Georgians and Russians. Many families who had forgotten

their mother-tongue and who used Turkish, Persian, Kurdish or Georgian have learned to speak and write the modern Armenian. The new spirit says, "Let that woman be considered a traitor who talks any other language than the Armenian to her children." It has created for itself and fans its fires with national songs, embodying the ardent longings of the race and hatred of its enemies. It has voiced itself in romances, newspapers, and in every assembly of the people where the police permit. It has revived the study of national history, dwelling on the days of glory of the ancient kings, setting apart days, such as the birthday of Vartan, to commemorate their deeds and to exhort to emulation of their heroism. It has called the drama to its aid, and presented these heroes moving on the stage before an applauding people. It has sent its youths to Switzerland and Germany, to return imbued with ideas of liberty and progress, ready to instruct the rising generation. It has formed secret societies to cultivate patriotism, and to plan for future action—revolutionary, if need be. It aimed at nothing less than political independence—a reuniting of the Armenian provinces, now under Turkey and Russia, and the establishment of an autonomous Armenia similar to Bulgaria.

When the Armenians were massacred in Turkey, patriotism in the Caucasus reached a white heat. It broke through even its former partial restraint. Then the Russian Government assumed a sterner attitude toward all Armenian agitation. It prevented Armenians from expressing their sympathy with their brethren in Turkey or helping them financially in their distress. Even the reception of the 50,000 refugees was qualified with such conditions that they petitioned to be returned to Turkey. After the massacres, Russia began a series of repressive measures against her own Armenian subjects. These have followed each other in quick succession and with increasing severity.

III. Let us review the measures* whereby the Russian Government is restraining Armenian development.

First, the school question should receive attention. By the decree of 1836, the right to establish schools was granted to the Armenians. These schools were to be under the superintendence of the Bishops and the Synod of Etchmiadzin, whose actions and

* These are described in detail by an anonymous St. Petersburg correspondent of a Geneva Armenian journal in letters which have been published in Armenian, under the title "Caucasian Verker," or "Caucasian Wounds," to which volume I am indebted.

rules must be submitted to the Minister of the Interior. Under this authorization, a system of schools gradually grew up in Transcaucasia. About 1870, the desire for education greatly increased. Strenuous exertions were made to bring culture and enlightenment to the people. In 1882 an Armenian Educational Convention was held in Tiflis with great enthusiasm. It showed that considerable progress had been made. Five hundred parish schools were in operation with 900 teachers and 30,000 pupils. Most of these were elementary schools, with the addition of several classes of a Secondary or High School grade. These schools were supported partly by Church endowments, partly by tuitions, but largely by the donations and endowments of wealthy Armenians. It became quite a custom for Armenians to bequeath a portion of their property to the schools. Some schools have also a theatre attached, whose income helps to support the school.

In addition to the parish schools, seminaries were founded for the training of priests, "to prepare spiritual pastors for Russia and especially to foreign countries," *i. e.,* Armenians in Turkey and Persia. General Paschievitch and Baron Rosen favored these foundations. One was planned for each of the six dioceses. The Nersesian Seminary was founded at Tiflis in 1824, one at Erivan in 1837, and others at Shusha and Etchmiadzin, but permission was refused for the establishment of one at Baku. The Nersesian Seminary is poorly housed, and repeated applications for a building-permit have been refused. The seminary at Etchmiadzin is the only one that has specially tried to fulfil its theological object. It has substantial buildings and is in the midst of classic surroundings. The ancient churches and monasteries recall the history and exemplify the architecture of the best periods of the race. The old refectory of the monks, with its stone tables, furnishes a striking contrast to the printing establishment with its modern presses. An artificial lake and fine old trees add beauty to the campus, especially when viewed in connection with the high walls and castle-like gates of the inclosures.

Languages, mathematics, literature, philosophy and theology are taught, but physical sciences are prohibited. Much of the instruction is elementary.

Both the parish schools and the seminaries have a strong nationalistic spirit, inculcating a love for Armenia, its history and its Church and political aspirations and hopes clearly incon-

sistent with Russia's plans. It need create no surprise that Russia put her iron heel upon them. The first severe stroke fell in 1884. A decree provided that the Russian language should be the medium of instruction in the schools. Armenian language and religion could be taught as subsidiary studies. No classes above a common-school grade could be continued. The teachers must obtain certificates from the Russian Government by passing an examination through the medium of Russian. The supreme control of all the schools must be under the Minister of Education. Lynch says of this ukase, "It may be branded as an infamous document." But the Russians would reply that they had established schools which were neglected. For instance, at Alexandropol the Russian schools had 140 pupils and the Armenian schools 1200. There were but 159 Armenian pupils in the Russian Gymnasium at Erivan, supported at a cost of $35,000 annually, while the Armenian seminary had 360 pupils. In the Armenian schools Russian was slighted. The Russians regarded the teaching in the Armenian schools as "separatist," not to say treasonable.

The Synod of Etchmiadzin refused its consent to this decree, pleading that the question should be postponed until a New Catholicos was chosen. The Government took summary action. The police dismissed the pupils and closed the buildings. When Margar was chosen Catholicos,—a creature of the Russian Administration,—the favor of a respite was granted him. The strict enforcement of the ukase was put off for six years. Until that time, the requirement of a good knowledge of Russian on the part of the teachers was suspended. But the higher grades remained closed, and the schools continued under police supervision. The result was a great diminution in the number of schools and in the attendance, so that in 1889 there remained 123 schools, with 482 teachers and 11,000 pupils. Subsequently, others were reopened.

Before the expiration of the term of grace, Catholicos Margar died and Kremian Haireg succeeded in 1893. Then Prince Galitzin and Yanuski, the Director of Schools, showed no mercy. Three hundred and twenty schools were again closed, only thirty remaining open. The Russian Government said it was convinced that the schools were "nests of nationalistic propaganda." The Armenians raised a bitter wail, appealing to the public opinion of Europe, especially of England. But this only resulted in

greater restrictions. It was determined to enforce the decree strictly. The parish schools should only be allowed under Government management. Russian must be the language of the school; teachers must have the Russian certificate; graduates of the seminaries could not be teachers in the parish schools. They were also deprived of the privilege of other high school graduates of serving for two years in the army, instead of five.

In order to obtain complete control of the schools, and at the same time relieve the Government of as much as possible of expense connected with them, a decree was issued taking over all the school properties and endowments. This was accomplished without serious opposition. But in their zeal, the Government officers seized much property that pertained to the Church exclusively. The clergy brought suit to recover these properties. These suits continued in court for some time. Meanwhile, most of the parish schools failed to comply with the conditions and were permanently closed. Those which were opened were so changed in character as to be no longer Armenian schools.

Secondly, let us notice the suspension of the various societies. In 1894, there were in Baku "The Armenian Philanthropic Society," founded in 1863, and in Tiflis "The Armenian Publication Society," "The Armenian Women's Benevolent Society," and "The Armenian Benevolent Society of the Caucasus," the last named having eighteen branches in such cities as Erivan, Batum, Alexandropol, Shusha, Nakhejevan, etc. All of these had been founded by Government permission. Their object was to aid the poor, to open schools and libraries, to furnish scholarships and publish books for the Armenians.

In 1898, Prince Galitzin made an adverse report on these societies to the Czar, in which he said: "The philanthropic societies give more attention to politics than to philanthropy. They have branches in almost all the cities of the Caucasus. Pupils who are aided are most frequently sent to foreign countries for education—a proceeding contrary to the ruling principles of the Russian Government. . . . These societies are not worthy of confidence and I propose to the Czar that they be closed." The order was given (1889) for their closing, excepting the Publication Society. Afterwards permission was given to open two philanthropic societies in Tiflis and one in Baku, but the branches remained closed. These newly authorized societies were forbidden

to open schools or libraries, or to assist pupils or authors. They could continue to feed the poor.

Not only were the societies prohibited from establishing libraries, but for an individual or committee to establish one under Armenian control is beset with so many difficulties, restrictions and inspections, and requires so many petitions, that many considerable places in the Caucasus remain without circulating libraries. Permission was refused for libraries in Erivan and Alexandropol and in many other places. Public libraries were closed in Shusha, Nakhejevan, Okhaltskha and other cities.

In former days permission was given for the publication of Armenian newspapers. As early as 1896, the question was raised as to the necessity of Armenian or Georgian newspapers. It was decided that it would be better if they were all in the Russian language, and that no new Armenian papers should be established. There remained two dailies and four monthlies. Of the latter, one, "The Ararat," is theological, one is a fashion paper and one is for children. During this year the two dailies and "The Ararat" are under suspension.

Finally, in 1900, the Publication Society was closed. Its founding had been approved by Grand-Duke Michael. In twenty-one years it had published only 187 books, many of them small; all of them had passed inspection by the censor, and many of them were translations of works already in Russian. But further development of the Armenian language is not approved; therefore, this society must close. Other books, too, like the novels of the celebrated Raffee, were turned down by the censor when permission for a new edition was desired. School books in Ararat-Armenian are being printed to a very limited extent, as there is little further demand for them. It is forbidden to take the oath in the Armenian language in the Courts. Will Russia be able to kill their language which has revived and shown such fine development within the last half-century?

While these measures were being formulated and carried out, the Courts were hearing the appeals of the Armenian clergy against the seizing of the Church properties under the order for taking over the school properties. In May, 1902, a decision was rendered sustaining the appeals, and ordering the properties and endowments to be returned to the Church. This was cause of rejoicing among the Armenians.

Their rejoicing was of short duration, for even then a decree was preparing, which would overwhelm them. Prince Galitzin had been advocating for some time the seizing of the Armenian Church properties. A Ministerial document has been published which narrates that, "in 1898, Prince Galitzin raised the question of taking possession of the properties and capital of the Church. This was opposed by the Ministers of Finance and Agriculture as likely to lead to disturbances, but Prince Galitzin was delegated to find a way to curb the special political activities of the Armenian clergy." Prince Galitzin in 1902 renewed his previous recommendation. He was seconded by Pobiedonostseff, the Procurator of the Holy Synod. The Czar's cabinet is said to have disapproved the scheme again, but the Czar was not willing to refuse Prince Galitzin and gave his consent. Hence was issued the ukase of June 12th, (O. S.), 1903, whereby the Government decreed to take over the control of the properties and endowments of the Armenian Church, as has been described.

This ukase had a deep and rousing effect on the Armenian people. The National Church is the darling of the Armenian heart, not simply,—perhaps not chiefly—for the sake of religion, but as the centre of the race, the sole relic of former national greatness; and the people, whether believers or sceptics, secularists or libertines, cling to it with ardent love. The apple of their eye was touched with a hot iron, and they cried out with a great and bitter cry. The common people were moved from inaction as no question of schools or societies could move them. Men of age and culture, too, spoke of it with trembling voices and tears—men who never take the communion from a priest, but who feel that the Holy of Holies of the nation's life is being violated. A universal protest arose from all sides. Cities and villages began to pour in delegations to Etchmiadzin to demand of the Catholicos and Synod that they refuse their consent to the decree. From far and near the voice of opposition was heard. The Patriarch of Constantinople telegraphed his protest in the name of the three millions of Armenians living in Turkey. The Bishops of Persia added their emphatic "No." In far-off America, Bishop Sarajian headed a delegation from New England to Washington to make their appeal to the Russian Ambassador and to the President. In the name of the Lord and Saviour to whom the churches had been dedicated; in the name of their martyr-ancestors who had left

them this inheritance sealed in blood, and who had endowed the churches and monasteries; in the name of living donors, who reside outside of the Russian Empire, but look to Etchmiadzin as their sanctuary; in the name of Czar Nicholas I., whose decree* had established the right of the Gregorian Church to ownership of its property and of the Synod to control of the same; by the right of possession and administration through more than a millennium, —a possession which even Mongol and Seljuk, Persian and Turk had not refused to respect; by natural right and by civil right, they protested against the seizure as a usurpation.

True, the official bulletin has declared that the Government intends to take better care of the churches and priests and to secure them a more certain and larger income, that the rights of the Church over its special possessions will be preserved, that after the churches and schools are cared for, the remainder will constitute a capital fund for the benefit of the Church to secure its regular and future development, and that the parishes will be aided and the properties secured from embezzlement. But the Armenians believe these to be idle words, diplomatic phrases. They feel quite capable of administering and preserving their own estates. They wish to control their own churches. Petitions begging for the Czar's mercy and a revocation of the edict poured into St. Petersburg from Catholicos and Patriarch, from Bishops in Russia and abroad, from communities far and near. During the interval granted by the Government for the Church authorities to signify their consent, the Catholicos retired to Sivan Monastery. On July 28th, he was returning by Alexandropol, and spent the night at the Bishop's house. In the morning the bells were tolled. All the Armenians closed their shops and assembled around his lodging. First a band of girls, next of young men, presented petitions to the Catholicos. He ejaculated, "Pray about it," "Be patient." They replied that the time for prayer was past, the time for action had come. Later, the Catholicos entered a carriage to go to the railway depot. Suddenly a mob of 10,000 men, women and children, weeping, surrounded him, and demanded a definite promise from him to refuse consent to the Czar's edict. The Mayor of the city came and seated himself in the carriage, as if to protect the Catholicos. The crowd threw the Mayor out into the street and bore the carriage, with

* Polojenya of 1836, Articles 8, 67, 90, 117, 121.

the Catholicos, on their shoulders, to the station, mingling their cheers with curses. At the station, some broke the windows of the cars, others dishonored the Bishops by pulling their beards.

On Sunday, August 3rd (O. S.), after the Bishop of Erivan had finished mass, a crowd of some thousands seized him, forced him into a carriage and directed their course toward Etchmiadzin, fourteen miles distant. *En route,* they encountered and beat the Chief of Police. The Governor escaped from their hands by flight. A company of 250 Cossacks met them but did not offer effective resistance. At Etchmiadzin, Cossacks guarded the Palace Gate. The people entered through the Seminary Gate, which the students opened for them. Their mission was successful, and they received from the Catholicos a solemn promise that he would not yield to the Czar's demands. Encouraged by his people, he gave a decretal to this effect to the Synod, which, contrary to the protests of the Russian Procurator, Gencheli, took the same determined stand. When officers came to take over the properties they refused them admittance. On August 6th a telegram came from Minister Plehve urging immediate obedience and saying, "Every day of disobedience to the will of the King will bring heavy consequences." The Catholicos replied, pleading that the Emperor grant delay and an opportunity to explain. The Minister telegraphed, "The Emperor refuses your request for delay," and warned him of the consequences. On August 24th, came the festival of the blessing of the Meron—the holy oil which is made of flowers and is supposed to boil of itself. The blessing of it is usually the occasion of a great concourse of people. The ceremony was placed at an early hour to avoid disturbance, but 3,000 people quickly assembled. Some 400 women with shouts and songs presented themselves before the Catholicos, protesting that the Church property should not be surrendered. The Catholicos and the women wept together, and he assured them that he would never voluntarily surrender the properties.

On September 5th, the official delegation, consisting of the Vice-Governor, the Procurator and others, came and demanded the delivery of the properties. The Catholicos refused, saying somewhat as follows: "I have sworn to the Czar of Russia to be faithful to him, and I am ready at any moment to fulfil his commands. If necessary, I am ready to take the cross in my hand and lead my people against the Czar's enemies, to prove with our

blood that we are his humble subjects. But, at the same time, I gave oath to my own race—the four million Armenians,—to be faithful to it, and to uphold its ancient rights. The Armenian race with a million signatures has appealed to me to mediate and procure the Czar's mercy. I have appealed and await his favor." The delegation insisted that they must carry out the Czar's command, and that the Catholicos should sign the transfer. He replied: "I have a life, take that if you will. The rest is my people's. I can give away nothing of it. I cannot sign the papers." They demanded the keys of the treasury and, being refused, they sealed it. During this interview, the whole town was in mourning. Stores, shops and even the houses were closed. Not an Armenian appeared in the streets. A regiment of soldiers, 200 Cossacks and a battery of 80 guns, with many policemen were in readiness. Soldiers surrounded the monastery.

Some days afterward, the Governor of Erivan arrived with soldiers and police, with carpenters and blacksmiths. They broke open the iron doors of the treasury. Safes and boxes were rifled, 850,000 rubles and even a collection of ancient coins were carried off. All the monks remained in their rooms. A list was made of the properties and endowments, and they were formally declared to be transferred to the control of the Government.

In other places the transfer was also carried out by force. In Elizabetpol, on August 29th (O. S.), the whole Armenian population, to the number of 10,000, gathered at the upper church and marched to the lower one, where the Vartabed, Beneg, lived, to urge him to refuse consent. *En route,* the police met them and urged them to disperse. They answered with stones and went on. As the Vartabed did not at first appear, they shouted and threw stones at his windows. Finally, he appeared and said that nothing would be delivered up willingly. The Vice-Governor now brought up the soldiers and thrice commanded the crowd to disperse. A youth came out of the crowd and insulted him, saying, "We don't want to change our religion as you have done." The Vice-Governor is a Jewish convert to Orthodoxy. He instantly shot the young man dead, and commanded the troops to fire. Thirty Armenians were killed and fifty wounded besides some Russians. In Tiflis the streets were full of soldiers. Several Armenians were killed. The properties of the churches and of the Nersesian school were listed in the absence of the Principal and trustees. In

Baku, word spread that the Government would take the churches on September 2nd. Early in the morning, a crowd came from Balakhana, a neighboring oil town. Many of them were armed. They filled the churches and streets. Police and Cossacks demanded their dispersion. They replied to the fire of the soldiery with stones and revolvers. The people from within the church and the soldiers without continued to exchange shots for some hours. Some Russians and eleven Armenians were killed and forty-five wounded. By midnight their ammunition was exhausted. Many fled and one hundred were imprisoned. For some days, the soldiers encamped around the church. For some time Armenians in Baku dressed in mourning.

In Mudara, near Soukim, the doors of the church were broken down with axes and the property listed. In the country districts, almost without exception, there were refusals and popular demonstrations. In many places, masses for the dead were said. Orators, sometimes women, harangued the crowds. The police made many arrests.

After the Government had taken formal possession of the properties and funds of the Church and the Armenians had made this series of vigorous but ineffectual protests and demonstrations, there followed a period of comparative quiet. The Government maintains an unbending attitude, and continues to make many arrests. The prisons are full, and additional houses are being turned into prisons. Some ecclesiastics were punished with banishment, including at least one Bishop, and also two priests of Etchmiadzin.

The Armenians have taken up the weapon of assassination, or rather a class of terrorists, who are among them, have adopted this weapon. It is used in the first place against so-called traitors. In Etchmiadzin, an Armenian who signed consent to the Government edict was killed in the street. In Gorkh, Priest Khachadur, who opposed the protest and tore up the paper of the protesters, was found dead in his bed. In Tiflis, an attempt was made to kill Priest Alexan, who sided with the Russians. In Kars, a Greek priest, Vasiloff,—who converted several Armenian villages to the Russian Church—tauntingly exclaimed: "May I live to present the sacrifice of the Mass, according to the Greek rite, in the Armenian Church of the Holy Mother of God." He was shot dead in the street.

But most serious of all was the attempt made on Prince Galitzin. As he was driving through the streets of Tiflis, he was attacked by three Armenians, who made desperate efforts to murder him. His assailants were killed on the spot, but the Governor-General escaped with slight wounds. He is regarded with deadly hatred by the Armenians, as the author of this series of measures to oppress them. The Armenians have robbed several Russian churches in Tiflis, and one of them who made no effort to escape answered at his trial: "I only did at night what some officers are doing by daylight." As a means of securing the apparent consent of the people to the transfer of the properties, every member of a guild, shopkeeper or merchant who renewed his license at the New Year was presented with the alternative of signing his consent or having his business closed. To restrict agitation an order was given in June, 1904, that no Armenians from Persia or Turkey should be allowed to enter the Caucasus. Their passports were refused visé.

The Government is said to be preparing a new Polojenya or Constitution for the Armenian Church. It has not yet been published. Rumor says that the office of Catholicos will be abolished, that in lieu of one, the Czar will appoint a Metropolitan who shall reside in St. Petersburg, to which place the Synod of the Armenian Church shall be transferred, and the ancient seat of St. Gregory will remain a common monastery; that the Meron or sacred oil will hereafter be made on the banks of the Neva, not at Etchmiadzin; that the Armenian Church will be brought into a condition of complete subordination, that no ordination of deacon, priest or bishop will be allowed except by authorization of the Czar, which will be withheld until the Church makes submission.

The Catholicos and the institutions at Etchmiadzin have begun to be pressed for funds since the revenues have been cut off and the endowments seized. Hence the Czar has sent a donation of 70,000 rubles to the Catholicos. The latter, fearing Greeks even when bearing gifts, has declined to receive it, and replied that his own people are able and willing to support him.

S. G. WILSON.

HENRY JAMES: AN APPRECIATION.

BY JOSEPH CONRAD.

THE critical faculty hesitates before the magnitude of Mr. Henry James's work. His books stand on my shelves in a place whose accessibility proclaims the habit of frequent communion. But not all his books. There is no collected edition to date, such as some of "our masters" have been provided with; no neat row of volumes in buckram or half-calf putting forth a hasty claim to completeness, and conveying to my mind a hint of finality, of a surrender to fate of that field in which all these victories have been won. Nothing of the sort has been done for Mr. Henry James's victories in England.

In a world such as ours, so painful with all sorts of wonders, one would not exhaust oneself in barren marvelling over mere bindings, had not the fact, or rather the absence of the material fact, prominent in the case of other men whose writing counts (for good or evil)—had it not been, I say, expressive of a direct truth spiritual and intellectual; an accident of—I suppose—publishing business acquiring a symbolic meaning from its negative nature. Because, emphatically, in the body of Mr. Henry James's work there is no suggestion of finality, nowhere a hint of surrender, or even of mere probability of surrender, to his own victorious achievement in that field where he is master. Happily, he will never be able to claim completeness; and, were he to confess to it in a moment of self-ignorance, he would not be believed by the very minds for whom such a confession naturally would be meant. It is impossible to think of Mr. Henry James becoming "complete" otherwise than by the brutality of our common fate whose finality is meaningless—in the sense of its logic being of a material order, the logic of a falling stone.

I do not know into what brand of ink Mr. Henry James dips

his pen; indeed, I heard that of late he has been dictating; but I know that his mind is steeped in the waters flowing from the fountain of intellectual youth. The thing—a privilege—a miracle —what you will—is not quite hidden from the meanest of us who run as we read. To those who have the grace to stay their feet it is manifest. After some twenty years of attentive acquaintance with Mr. Henry James's work, it grows into absolute conviction, which, all personal feeling apart, brings a sense of happiness into one's artistic existence. If gratitude, as some one defined it, is a lively sense of favors to come, it becomes very easy to be grateful to the author of "The Ambassadors"—to name the latest of his works. The favors are sure to come; the spring of *that* benevolence will never dry up. The stream of inspiration runs brimful in a predetermined direction, unaffected by the periods of drought, untroubled in its clearness by the storms of the land of letters, without languor or violence in its force, never running back upon itself, opening new visions at every turn of its course through that richly inhabited country its fertility has created for our delectation, for our judgment, for our exploring. It is, in fact, a magic spring.

With this phrase the metaphor of the perennial spring, of the inextinguishable youth, of running water, as applied to Mr. Henry James's inspiration, may be dropped. In its volume and force the body of his work may be compared rather to a majestic river. All creative art is magic, is evocation of the unseen in forms persuasive, enlightening, familiar and surprising, for the edification of mankind, pinned down by the conditions of its existence to the earnest consideration of the most insignificant tides of reality.

Action in its essence, the creative art of a writer of fiction may be compared to rescue work carried out in darkness against cross gusts of wind swaying the action of a great multitude. It is rescue-work, this snatching of vanishing phases of turbulence, disguised in fair words, out of the native obscurity into a light where the struggling forms may be seen, seized upon, endowed with the only possible form of permanence in this world of relative values—the permanence of memory. And the multitude feels it obscurely too; since the demand of the individual to the artist is, in effect, the cry, "Take me out of myself"! meaning, really, out of my perishable activity into the light of imperishable consciousness. But everything is relative, and the light of conscious-

ness is only enduring, merely the most enduring of the things of this earth, imperishable only as against the short-lived work of our industrious hands.

When the last aqueduct shall have crumbled to pieces, the last air-ship fallen to the ground, the last blade of grass shall have died upon a dying earth, man, indomitable by his training in his resistance to misery and pain, shall set this undiminished light of his eyes against the feeble glow of the sun. The artistic faculty, of which each of us has a minute grain, may find its voice in some individual of that last group, gifted with a power of expression, and courageous enough to interpret the ultimate experience of mankind in terms of his temperament, in terms of art. I do not mean to say that he would attempt to beguile the last moments of humanity by an ingenious tale. It would be too much to expect —from humanity. I doubt the heroism of the hearers. As to the heroism of the artist, no doubt is necessary. There would be on his part no heroism. The artist in his calling of interpreter creates (the clearest form of demonstration) because he must. He is so much of a voice that for him silence is like death; and the postulate was that there is a group alive, clustered on his threshold to watch the last flicker of light on a black sky, to hear the last word uttered in the stilled workshop of the earth. It is safe to affirm that, if anybody, it will be the imaginative man who would be moved to speak on the eve of that day without to-morrow— whether in austere exhortation or in a phrase of sardonic comment, who can guess?

For my own part, from a short and cursory acquaintance with my kind, I am inclined to think that the last utterance will formulate, strange as it may appear, some to us now utterly inconceivable hope. For mankind is delightful in its pride, its assurance, and its indomitable tenacity. It will sleep on the battle-field among its own dead, in the manner of an army having won a barren victory. It will not know when it is beaten. And, perhaps, it is right in that quality. The victories are not, perhaps, so barren as it may appear from a purely strategical, utilitarian point of view. Mr. Henry James seems to hold that belief. Nobody has rendered better, perhaps, the tenacity of temper, or known how to drape the robe of spiritual honor about the drooping form of a victor in a barren strife. And the honor is always well won; for the struggles Mr. Henry James chronicles with such subtle

and direct insight are, though only personal contests, desperate in their silence, none the less heroic (in the modern sense) for the absence of shouted watchwords, clash of arms and sound of trumpets. Those are adventures in which only choice souls are ever involved. And Mr. Henry James records them with a fearless and insistent fidelity to the *péripéties* of the contest, and the feelings of the combatants.

The fiercest excitements of a romance "*de cape et d'épée,*" the romance of yard-arm and boarding-pike so dear to youth, whose knowledge of action (as of other things) is imperfect and limited, are matched, for the quickening of our maturer years, by the tasks set, by the difficulties presented, to Mr. Henry James's men's and women's sense of truth, of necessity—before all, of conduct. His mankind is delightful. It is delightful in its tenacity; it refuses to own itself beaten; it will sleep on the battle-field. These warlike images come by themselves under the pen; since, from the duality of man's nature and the competition of individuals, the life-history of the earth must in the last instance be a history of a really very relentless warfare. Neither his fellows, nor his gods, nor his passions will leave a man alone. In virtue of these allies and enemies, he holds his precarious dominion, he possesses his fleeting significance; and it is this relation, in all its manifestations, great and little, superficial or profound, and this relation alone, that is commented upon, interpreted, demonstrated by the art of the novelist in the only possible way in which the task can be performed: by the independent creation of circumstance and character, achieved against all the difficulties of expression, in an imaginative effort finding its inspiration from the reality of forms and sensations. That a sacrifice must be made, that something has to be given up, is the truth engraved in the innermost recesses of the fair temple built for our edification by the masters of fiction. There is no other secret behind the curtain. All adventure, all love, every success is resumed in the supreme energy of an act of renunciation. It is the uttermost limit of our power; it is the most potent and effective force at our disposal, on which rest the labors of a solitary man in his study, the rock on which have been built commonwealths whose might casts a dwarfing shadow upon two oceans. Like a natural force which is obscured as much as illustrated by the multiplicity of phenomena, the power of renunciation is obscured by the mass of weaknesses,

vacillations, secondary motives and false steps and compromises which make up the sum of our activity. But no man or woman worthy of the name can pretend to anything more, to anything greater. And Mr. Henry James's men and women are worthy of the name, within the limits his art, so clear, so sure of itself, has drawn round their activities. He would be the last to claim for them Titanic proportions. The earth itself has grown smaller in the course of ages. But in every sphere of human perplexities and emotions there are more greatnesses than one—not counting here the greatness of the artist himself. Wherever he stands, at the beginning or the end of things, a man has to sacrifice his gods to his passions or his passions to his gods. That is the problem, great enough, in all truth, if approached in the spirit of sincerity and knowledge.

In one of his critical studies, published some fifteen years ago, Mr. Henry James claims for the novelist the standing of the historian as the only adequate one, as for himself and before his audience. I think that the claim cannot be contested, and that the position is unassailable. Fiction is history, human history, or it is nothing. But it is also more than that; it stands on firmer ground, being based on the reality of forms and the observation of social phenomena, whereas history is based on documents and the reading of print and handwriting—on second-hand impression. Thus fiction is nearer truth. But let that pass. A historian may be an artist too, and a novelist is a historian, the preserver, the keeper, the expounder, of human experience. As is meet for a man of his descent and tradition, Mr. Henry James is the historian of fine consciences.

Of course, this is a general statement; but I don't think its truth will be or can be questioned. Its fault is that it leaves so much out; and, besides, Mr. Henry James is much too considerable to be put into the nutshell of a phrase. The fact remains that he has made his choice, and that his choice is justified up to the hilt by the success of his art. He has taken for himself the greater part. The range of a fine conscience covers more good and evil than the range of a conscience which may be called, roughly, not fine; a conscience less troubled by the nice discrimination of shades of conduct. A fine conscience is more concerned with essentials; its triumphs are more perfect, if less profitable in a wordly sense. There is, in short, more truth in its working

for a historian to detect and to show. It is a thing of infinite complication and suggestion. None of these escape the art of Mr. Henry James. He has mastered the country, his domain, not wild indeed, but full of romantic glimpses, of deep shadows and sunny places. There are no secrets left within his range. He has disclosed them as they should be disclosed—that is, beautifully. And, indeed, ugliness has but little place in this world of his creation. Yet it is always felt in the truthfulness of his art; it is there, it surrounds the scene, it presses close upon it. It is made visible, tangible, in the struggles, in the contacts of the fine consciences, in their perplexities, in the sophism of their mistakes. For a fine conscience is naturally a virtuous one. What is natural about it is just its fineness, an abiding sense of the intangible, everpresent, right. It is most visible in their ultimate triumph, in their emergence from miracle, through an energetic act of renunciation. Energetic, not violent: the distinction is wide, enormous, like that between substance and shadow.

Through it all Mr. Henry James keeps a firm hold of the substance, of what is worth having, of what is worth holding. The contrary opinion has been, if not absolutely affirmed, then at least implied, with some frequency. To most of us, living willingly in a sort of intellectual moonlight, in the faintly reflected light of truth, the shadows so firmly renounced by Mr. Henry James's men and women stand out endowed with extraordinary value, with a value so extraordinary that their rejection offends, by its uncalled-for scrupulousness, those business-like instincts which a careful Providence has implanted in our breasts. And, apart from that just cause of discontent, it is obvious that a solution by rejection must always present a certain apparent lack of finality, especially startling when contrasted with the usual methods of solution by rewards and punishments, by crowned love, by fortune, by a broken leg or a sudden death. Why the reading public, which, as a body, has never laid upon a story-teller the command to be an artist, should demand from him this sham of Divine Omnipotence is utterly incomprehensible. But so it is; and these solutions are legitimate, inasmuch as they satisfy the desire for finality, for which our hearts yearn with a longing greater than the longing for the loaves and fishes of this earth. Perhaps the only true desire of mankind, coming thus to light in its hours of leisure, is to be set at rest. One is never set at rest by Mr. Henry James's novels.

His books end as an episode in life ends. You remain with the sense of the life still going on; and even the subtle presence of the dead is felt in that silence that comes upon the artist-creation when the last word has been read. It is eminently satisfying, but it is not final. Mr. Henry James, great artist and faithful historian, never attempts the impossible.

JOSEPH CONRAD.

SHALL THE FOURTEENTH AMENDMENT BE ENFORCED?

BY EDGAR GARDNER MURPHY.

I.

To the mind of the typical citizen of the North, the enforcement of the terms of the second section of the Fourteenth Amendment to the Constitution would represent only an obvious element in an American policy of fair-play.

Interpreting the popular understanding of its language, it is evident that the Amendment does not bestow upon the negro the right to vote. It does not prohibit the restriction of suffrage. It does not refer to the negro, as the negro, at all. It permits restriction. It assumes that the States of the Union may, at their pleasure, deny the suffrage to men, whether white or black, of any description or class. It provides, however, that, when suffrage is arbitrarily restricted, representation shall be restricted also. It declares that no number of the male population shall be "counted out" by the State in making up the body of its electorate and at the same time "counted in" by the State in securing its representation in Congress and in the Electoral College. The language of the Constitution is as follows:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

The general intention of such a provision is obvious enough. The black man was but the immediate occasion of its passage. As first framed, and as first adopted in the House of Representatives, it had specific reference to his political status. Reduction of representation was to be the penalty for any suffrage restriction based upon color. But as the debate proceeded, all direct reference to color was omitted. Restriction itself, no matter what the race or class proscribed, was made the occasion of the penalty. The law might, as a matter of fact, chiefly affect the Southern States; but it was also intended to affect, in principle, every State in which there should be any denial of the ballot to any class or fraction of the voters. A State is therefore free under this Amendment to reserve the ballot to the few—finally to exclude any element of the voting population—but if it do so it must suffer, proportionately, a loss of congressional and political power.

Such an adjustment of the problem of suffrage involves, moreover, a compact—an equitable distribution of influence—between individuals as well as between States. If Ohio and Massachusetts exclude any specific class from the suffrage, and if the "penalty" of exclusion be accepted by the former and remitted to the latter, then every voter in Massachusetts has a larger representation in Congress, has a larger influence in the election of the President, than a like voter in Ohio. If a Northern State and a Southern State of the same population deny the suffrage to certain classes, and if the Northern State, because of that denial, loses a number of her congressmen and the Southern State loses none, then the Southern voter has a larger representation in Congress and in the Electoral College than the voter of the North. Both the cases cited are hypothetical. They are stated solely as illustrations. As a matter of fact, no attempt has ever been made, in North or South, or against any State or section of the country, to enforce the exact terms of the Amendment. The lifetime of a whole generation has passed since its adoption. Shall its terms be enforced to-day?

The argument in the affirmative may make effective appeal to certain apparent inequalities. Suffrage restriction seems to have eliminated more voters, proportionately, in Maine than in Pennsylvania, and therefore the relative power of Maine is perhaps unfairly great. Suffrage restriction has eliminated more

voters in the Southern States than in the Northern, and the relative congressional representation of the South is probably therefore—under the popular conception of the Amendment—unduly large. Inasmuch as no rigorous application of its provisions has ever been seriously undertaken, it is altogether likely that its central intention is unfulfilled, and that there is not today an even and equitable distribution of political power between the States and between their citizens. Such conditions are distinctly in conflict with one of the cardinal assumptions of our government—the assumption that, so far as law can determine, one man's suffrage shall weigh as much and shall count as effectively as another's.

But there is a consideration more serious still. The argument in favor of enforcing the terms of the Amendment is in reality an argument not only for an equitable distribution of political power, but also for the vitality of the Constitution. A dead limb upon the tree of the Constitution is not good for the tree. If this section of the Amendment is sufficiently coherent to be enforceable, and if it is still so far valid as to be operative, its enforcement may be regarded both as a decree of equity between citizens and as a policy of rehabilitation to the law. Public policy demands the fulfilment of the letter of the Constitution, unless it can be clearly shown—under the canons of a public policy broader and truer still—that the life of the Constitution is necessarily freer and larger than its letter.

Clearly, however, such an argument must assume all the burden of debate. The mere suggestion of the contention that, at this or that point in the practical application of a constitutional instrument, the life may be found beyond the letter is to accept, in the discussion, the most serious of obligations. And yet it is perhaps the vague instinctive perception of this truth, upon the part of the masses of the American people, which has held the second section of this Amendment in abeyance for a generation. Its application and enforcement, particularly against the Southern States, has been often urged; but there has been no fulfilment of the policy. Great peoples are often more patient than their laws. Delays are accepted, not in contempt of their Constitutions, but in order that the normal conditions which Constitutions must assume, and for which Constitutions have been ordained, may attain their being and their efficacy. In opposing,

therefore, the enforcement of the popular conception of the Amendment, I would discuss the question chiefly in the light of the broader considerations of public policy. There are other arguments, however, which might find elaboration.

(1) For example, it has been contended that the mere enactment of the Fifteenth Amendment has abrogated the second section of the Fourteenth. Said James G. Blaine, surely no lukewarm interpreter of Republican policies:

"The adoption of the Fifteenth Amendment seriously modified the effect and potency of the second section of the Fourteenth. . . . The prime object [of the Fourteenth Amendment] was to correct the wrongs that might be enacted in the South, and the correction proposed was direct and unmistakable; viz., that the Nation would exclude the negro from the basis of apportionment wherever the State should exclude him from the right of suffrage.

"When, therefore, the nation by subsequent change in its Constitution declared that the State shall not exclude the negro from the right of suffrage, it neutralized and surrendered the contingent right, before held, to exclude him from the basis of apportionment. Congress is thus plainly deprived by the Fifteenth Amendment of certain powers over representation in the South, which it previously possessed under the provisions of the Fourteenth. Before the adoption of the Fifteenth Amendment, if a State should exclude the negro from suffrage, the next step would be for Congress to exclude the negro from the basis of apportionment. After the adoption of the Fifteenth Amendment, if a State should exclude the negro from suffrage, the next step would be for the Supreme Court to declare that the act was unconstitutional, and therefore null and void. The essential and inestimable value of the Fourteenth Amendment still remains in the three other sections, and preeminently in the first section."*

(2) At the South, however, the Fifteenth Amendment will long share much of the traditional odium which is instinctively associated with the Fourteenth. However sound the Amendments may be in principle, it is unfortunate that, as Constitutional enactments, their legality and their consequent authority should be open to question among the very people to be most affected by them. This suspicion may be partly due to that unforgetting bitterness which, among certain elements of the population, is the heritage of all wars. With others it is due to no bitterness of heart, but to the serious conviction that the organic law of the Republic should always be established through republican agencies and only under republican conditions. It is remembered

* James G. Blaine, "Twenty Years of Congress," vol. II., p. 418.

that the Fourteenth Amendment stands in the Constitution only because the votes of such States as Alabama and Georgia were counted in its support. No one now needs to be told that these votes were a military rather than a democratic result. Everybody knows the attitude of the people of Alabama and Georgia toward the adoption of the Amendment, and it is sufficiently obvious that the vote for the Amendment, in a land under military occupation and through a registration conducted by the army, represented pretty much everything except the verdict of republican conditions. The Amendment represented a serious attempt to establish more securely a republican form of government; but governments are not made truly republican by military power; and, when the guarantees of freedom are established under the conditions of coercion, coercion rather than freedom becomes the political precedent and the political heritage of the State.

It may be charged that the perversity of the South was the justification of the army; but, while an army may secure results and while these results may be intrinsically just, yet, in all that touches the organic law of a democracy, justice must wait upon freedom. An army may secure results, but an army cannot make them free. Constitutions, in a republic, cannot be amended by the military. Not that the South cares to reopen an old controversy or revive a perhaps profitless agitation for the repeal of the Amendments. The South does not assail their validity. It is inevitable, however, that the instinctive attitude of the South toward their provisions should be less sympathetic than the attitude of the South toward the provisions of the older Constitution. I have written this paragraph to explain and interpret a popular mood rather than to offer a personal or political criticism, inasmuch as the collective spirit, the social temper of a population, must always enter into any inclusive study of the real relations between the Constitution and the public mind.

(3) While those who framed the second section of the Fourteenth Amendment had, perhaps, a clear conception of its operation, it has been suggested more than once that this conception is not intelligibly expressed in the language of the passage in dispute. How are we to determine the number of males to whom suffrage has been denied? It may seem to be a simple matter to reduce the representation of a State to the extent

to which the State has reduced the number of its voters, but how is this latter number to be established? Not from mere "probabilities," for the method assumes to be mathematical. From election returns? That would be to assume that all the voters vote, and that all who possess the right of suffrage exercise that right. This we know to be untrue. So long as no election anywhere has ever polled a complete vote, so long as the size of the vote represents the measure of popular interest rather than the measure of popular rights, it is wholly unreasonable to assume that all the men who fail to vote are denied the right to vote. Indeed, where one party is in a marked ascendency and where serious rivalry does not exist, the vote in the party primaries is often far in excess of the vote in the elections.* It is manifestly impossible, therefore, to assume that a mere falling off in the number of men who vote at any specific election is in itself a legal proof that suffrage has been limited or denied.

(4) It may be contended that the familiar limitations of suffrage are hardly to be regarded as denials of the right of suffrage—within the meaning of the Constitution. Such a contention may seem at variance with the familiar interpretation of the Amendment already stated. And yet the argument is of no small force. Every State demands a qualification of residence—the candidate for the ballot must have resided for a fixed period of time in the State, in the county, in the city, in the election-precinct. Does such a regulation of the suffrage constitute an abridgment of suffrage within the meaning of the Constitution? Clearly not. It constitutes no class distinction, no permanent denial or abridgment of right. The regulation is not insurmountable. The terms are terms which any man can obey, if he will. The test does not constitute political proscription. There is every difference between a denial of suffrage or an arbitrary abridgment of suffrage,—and a condition of suffrage. An arbitrary abridgment or a positive denial of suffrage may become the effective cause of such class distinctions as would make democracy impossible. A condition of suffrage may bar out from the exercise of the ballot large bodies of individuals; but the test is still individual in its operation. It touches and excludes men one by one. The individual may at any time meet the im-

* See an article by Mr. Francis G. Caffey on "Suffrage Limitations at the South" in the "Political Science Quarterly" for March, 1905.

posed conditions; may square his qualifications with the test exacted.* Such a condition or test does not in its essence touch or limit or deny the right to vote possessed by any man or any group of men; it operates through flexible conditions only to limit temporarily the exercise of that right. Practically, the results, for a time, may be the same; essentially and historically they may be very different. To tell a man he can never vote is one thing; to tell him that he is a citizen and that because he is a citizen he can vote when he has lived for a fixed period in the State, or when he has learned to read and write, or when he has met some other reasonable condition, is quite another thing. The one course is a counsel of despair; the other course, if fairly pursued, is a counsel of discipline. It is opportunity touched by incentive.

It is thus hardly credible that the framers of the Amendment could have regarded reasonable and flexible limitations upon the exercise of the suffrage as though they constituted a denial or an arbitrary abridgment of suffrage rights.

(5) It may be urged, however, and with considerable force, that, while temporary suffrage conditions are not essentially undemocratic and are not in themselves a denial of suffrage-rights, they may be so administered as to defeat all the conditions of flexibility, permitting — through arbitrary application of the State law—the exercise of the privilege of the ballot to many who cannot really meet the tests and practically forbidding the ballot to many who can. Here the law may be without discrimination, but the discrimination in its administration may result in the very inequalities the Constitution would prohibit.

* "To require the payment of a capitation tax is no denial of suffrage; it is demanding only the preliminary performance of public duty and may be classed, as may also presence at the polls, with registration, or the observance of any other preliminary to insure fairness and protect against fraud. Nor can it be said that to require ability to read is any denial of suffrage. To refuse to receive one's vote because he was born in some particular country rather than elsewhere, or because of his color, or because of any natural quality or peculiarity which it would be impossible for him to overcome, is plainly a denial of suffrage. But ability to read is within the power of any man, it is not difficult to attain it, and it is no hardship to require it. On the contrary, the requirement only by indirection compels one to appropriate a personal benefit he might otherwise neglect. It denies to no man the suffrage, but the privilege is freely tendered to all, subject only to a condition that is beneficial in its performance and light in its burden. If a property qualification, or the payment of taxes upon property when one has none to be taxed, is made a condition to suffrage, there may be room for more question."—COOLEY; "Principles of Constitutional Law," Edition of 1898, p. 292.

So far as political injustice to the negro exists at the South, it exists at this point rather than at any other. Much has been said and written about the "grandfather clause" in the amended Constitutions of certain of our States. Under this clause no right of the qualified negro is denied. Under it the deficient white man is admitted. Inasmuch, however, as the white man who applies for registration under this clause makes implicit confession of his inability to register under other clauses, and inasmuch as the mere pleading of the right to vote on the sole ground of descent is an admission of illiteracy or penury, very few white men have ever been willing to claim the ballot under this exemption. No class of people anywhere will ever make much use of an exemption which is an advertisement of deficiency.

The "grandfather clause" has been, therefore, of little practical significance except as a subject of controversy. As, even in its indirect operation, it excluded no negro who could read and write, it worked injustice to no class of colored people entitled to any special political consideration. Educated, responsible, self-respecting negro men have, in certain cases, been unjustly excluded; but the "grandfather clause" has not been the instrument of discrimination. That instrument has been found in the discretionary powers lodged in the boards of registrars, by which worthy negro men, fairly meeting every test of suffrage, have been excluded from registration because they could not answer some mystifying question or satisfy some arbitrary and super-subtle exaction of the law (?). It is idle for writers at the South to deny that such cases exist. It is equally idle for writers at the North to assume that the whole South is responsible for them, or to forget that tens of thousands of negro men have already been fairly registered at the South under our amended Constitutions.*

Does the Fourteenth Amendment, however, offer a remedy for such injustice as exists? If injustice exist anywhere, it is well that a remedy should be found. It is not to the advantage of the State that the sense of political injury should operate within any of its social forces. If the strong and the weak must live side by side, the strong have already the abundant resources

* For a fuller discussion of the educational, industrial and political issues in the Southern States, see "Problems of the Present South," by Edgar Gardner Murphy: The Macmillan Co., New York and London, 1904.

of inherited and tested power. If legitimate strength be not sufficient, if strength must be supplemented by those forces of violence and fraud which always pervert character and which so often vulgarize the civic fibre of superior peoples, then strength is sacrificed by the very process of its reinforcement, and out of the very methods of our racial supremacy there must arise the wasting debilities of our political system. No man has a right to boast of our democratic institutions if he must claim the right, by the exercise of a sinister and oblique discretion, to advertise the insufficiency of the institutions which he praises. A democracy which is assumed to be in peril from its own laws, which cannot achieve its functions except by confessing its impracticability, will not long be the serious creed of this land or of any other. It is in the interest of democracy itself that injustice should find redress, and that every properly qualified voter should be fairly accorded his political status in the impartial light of his legal qualifications. The moment the law is given the twist or the squint of race or class or party, it ceases to be law. It becomes the despotism of race or class or party. This despotism has at times been necessary. It is often benevolent. It is sometimes wise. One thing, however, it is not; nor can it be. It is not democracy.

Wherever men at the South have tolerated arbitrary government, and wherever despotism, however benevolent, has been established, it has been a policy of emergency, of necessity, rather than a policy of choice. The times of emergency and necessity, save in a few exceptional localities, are passed. Yet old habits have remained, and to-day the wrongs which were often done by fraud or force without the law are now sometimes done "by administration" under the law. That the South itself has remedies for these wrongs is, I think, apparent. That the South will apply these remedies—not in the immediate interest of the North or of the negro, but in the interest of its own welfare—is, I think, probable. Here and now our question reverts, however, to the Fourteenth Amendment. Does its second section contain a remedy for these possible wrongs of suffrage administration in the Southern States?

We have seen that from the mere number of the voters in any particular election it is difficult to determine the extent to which there has been any denial of suffrage. We have seen, moreover,

that a conditional abridgment of suffrage is hardly to be considered a denial or abridgment of suffrage rights within the meaning of the Constitution. We have also seen that the letter of our suffrage laws at the South contains, apparently, no definite negation of the political principle of equal rights, and that such injustice as remains is not the injustice of the State (for the State as a State has framed its laws in harmony with the Constitution), but the injustice of the registrars. A law—equal and even in its essential provisions—may be so interpreted, by an exercise of discretionary power, as to impose a more exacting standard for the black man than for the white man. Can this abuse of discretionary power—an abuse which the State permits but which the State does not necessitate or prescribe—bring the State itself within reach of the penalties of the Constitution? Can Congress, under the provisions of a national Constitution which takes cognizance of the State only as a State, impose a penalty upon the whole commonwealth in punishment for an administrative fault of certain of its officials? Can Congress take legal cognizance of voters excluded from the suffrage, not by action of the State nor by vote or decision of a majority of its citizens, but by the arbitrary discrimination of particular registrars?

If the powers and penalties of the Federal Constitution may be employed to meet faults of administration within the borders of the several States, faults in the administration of State laws, at what point can we ever place the cessation of federal cognizance and control? Is it not obvious that, while individual wrongs should be righted and administrative evils corrected, the primary remedy lies within the Courts of the State? To these the individual voter has constant access. In Alabama, the man, white or black, who has suffered from wrongful discrimination may protest the decision of the registrars and may lodge his appeal, *without bond,* to the Courts of his own State. Inasmuch as the courts have not hesitated to find in favor of a worthy negro plaintiff, the machinery of justice within the State has been shown to be legally adequate for the correction of administrative abuses.* I say "legally" adequate. Morally and practically the process of appeal is naturally difficult. For such moral and practical diffi-

* See *The State of Alabama vs. Crenshaw;* opinion by Judge J. Haralson, in the Supreme Court of Alabama; Alabama Reports, Vol. 138, p. 506.

culties there are only moral and practical remedies, the remedies of public opinion, of a wiser and juster civic mind. Upon these remedies the legal remedies must at last depend for efficacy and completeness. To declare that the Federal Government must govern wherever the State does not govern perfectly, and to assume that an administrative evil of certain officials within the State is to challenge congressional action and is to be the subject of a constitutional penalty, would be to make havoc with the elementary compact between our national and our local Governments. If it be shown that the State by its own legislative action has established an unequal law, the law would be *prima facie* evidence of wrong. But where the evil is merely an evil of administration, a just official may correct at one registration the error committed by an unjust official at the last; the whole electorate is constantly in a state of change, one class may be favored in one locality and another class favored in another; in one year the vote may be large, the next year it may be small; the situation is never one for mathematical determination; and yet the very essence of the second section of the Amendment is its assumption of mathematical sufficiency.

To say that substantial justice ought not to be defeated by legal technicalities is to touch near to the heart of our question. And yet still nearer to the heart of the question lies the truth that technicality is of the essence of statutes, and that those who would claim for any element of the population a juster measure of legal privilege should not be in haste to speak censoriously of the precise terms of the organic law. The spirit of the Constitution sometimes lies beyond the letter; it seldom exists in contradiction of the letter. If the precise terms of the Amendments do not meet the expectations of our colored population, it is perhaps because the federal authority attempted a task to which federal law is not completely adequate. Obviously, there was no failure of intent on the part of those who framed them. If ever a legal instrument were devised, in intensity of purpose and with deliberate calculation, to achieve a specific and unalterable end, such an instrument is found in the two concluding Amendments of the Constitution of the United States. That this legislation bore with little conscious benevolence upon the South, the South need not complain. Nor, I take it, need complaint arise from our friends among the colored population or from our kinsmen of the North,

if the South—measuring the weight of her difficulties and the complexity of her needs—ask the privilege of testing its provisions by its own terms, of meeting legal enactments by legal processes. Certainly, of all sections, the South may be forgiven if she ask the country not to transgress the provisions of the Amendments.

If there seem to be a certain audacity in the suggestion, it is not, I trust, the audacity of the cynic. It is the expression of a serious and ever-deepening conviction that all that is good in the second section of the Fourteenth Amendment may now be best established by the modification of the popular conception of its terms. Thus far, however, I have been able to write only from the layman's standpoint, and I am, therefore, unwilling to leave the question in its present form. In proceeding to make the more important suggestions of this paper, I would now assume that the proposal is intelligible and practicable, and I would at this point wholly ignore the difficulties upon which I have thus far dwelt. Having contended, through the whole course of the controversy at the South, that the suffrage laws should be "level" in their operation, that the law should exact, justly and impartially, a fixed measure of fitness from every voter, excluding the unqualified and admitting the qualified, I would have little disposition to question the value of the Amendment if it seemed fairly to meet the conditions of a permanent and reasonable remedy. It may be a "technicality" to inquire whether the Amendment was passed under truly republican conditions; whether it is consistent with itself, coherent in its terms, practicable in its demands, and applicable to the specific evils which now exist. It is not, however, a technical inquiry to ask how far the Amendment is fitted to secure the essential human ends which it was framed to establish. If the application of the penalties prescribed in its second section will so operate as to secure justice between class and class, if it will check, or tend to check, the unjust exclusion of qualified negroes, and if it will check or tend to check the unjust admission of unqualified white men, then—all other arguments aside—its enforcement will seem to many like an instrument of substantial benefits, an instrument by no means perfect, but adapted, in an every-day sense, to the working necessities of the case.

But would the proposal to enforce the terms of the Amend-

ment—as these terms are popularly understood—serve to limit the political importance of the unqualified white man or to secure the political privileges of intelligent and self-respecting negroes? Would the reduction of the representation of the Southern States, in proportion as they have limited the number of the voters, serve the real interests of democracy? This statement would not have been undertaken save for the conviction that under such a policy of Congress—if the assumption of the federal argument is sound—the qualified negroes would be the largest sufferers and the unqualified elements of the white population would be the largest beneficiaries.

II.

If, as the federal argument would imply, the inadequate operation of the local conscience must challenge the intervention of the federal authority, it is hardly to be expected that the enforcement of the Amendment will essentially enlarge the popular temper of the South. Under the assumption that the mind of the South has been unsympathetic toward the negro, it is perhaps not unreasonable to assume that genuine sympathy for the negro will not be increased by a policy of national intervention. The South, by this assumption, having administered her laws from a class standpoint, would be likely to attempt from a class standpoint her adjustment to the conditions imposed upon her by the congressional penalties. Under the enforcement of the popular interpretation of the Amendment, four courses would seem to be open to her.

(1). She may at once remove all her suffrage tests, readmitting to the electorate black men and white men of every class. This would mean the nominal reacceptance of the illiterate of both races, and the placing of political power once more in the hands of great masses of the ignorant and irresponsible. Such an electorate would but invite the cupidity and debauchery of an earlier period. The South might thus retain her power in Congress, but it would mean the purchase of representation at the cost of all that makes representation worth while. The injury to the whole country would be second only to the injury to the South. The congressional power of the Southern States would rest, without possibility of escape, in the hands of its very crudest and lowest forces; threatening in Congress the dignity and peace of the Nation, and imperilling at the South the fundamental securities of

merical consideration. Looking, therefore, only to the numerical consideration, the registrars in our Southern States, still exercising a discretion which Congress may not constrain, will be quite free to admit to the suffrage those, and only those, who are regarded as politically "desirable." That they will not admit all the uneducated has already been affirmed. That the educated will be given a preference in the better localities is not improbable. But that election officials, drawn from the classes of men usually available for such service, are likely, on the whole, to rise to the heights of a far-seeing, constructive statesmanship and will be generally inclined to register the educated rather than the uneducated is too much to expect. It is wholly unreasonable to demand that petty political administration at the South shall be immeasurably superior to like processes of administration in other sections. Under like conditions, what would be the tendency of administration in Philadelphia, in New York city, in rural Connecticut, or Rhode Island? I say this not to excuse, but to explain. I would not defend injustice or perversity; I am attempting a colorless interpretation of political probabilities, of probabilities which all may regret, but which, in any frank perception of the situation, no man can refuse to see. Under like conditions anywhere, and under the average local administration of our American politics, the registrar, if under constraint to register an opposing class, would, I think, be inclined to favor the docile rather than the responsible among them, the uneducated rather than the educated, the "useful" and the purchasable rather than the incorruptible and the free. Here and there at the South, registrars of superior character would favor the worthier classes of our negroes; here and there the worthier individuals among our negroes might, by judicial process, assert and secure their rights before unsympathetic registrars. Upon the whole, however, it is evident that the practical tendency of administration would be to add to the electorate of the State, as a mere numerical basis for congressional power, the very classes of negroes which ought to be excluded, and to exclude from the electorate those classes of negroes which to-day deserve the franchise. That such a prediction would not hold good in all localities I have already stated; that it would hold true, however, in the very localities where injustice chiefly demands correction is evident enough. To the mind of the registrar who is swayed by the selfish interests of race

or party, the "desirable" negro voter is, as I have explained, not the negro whose resourcefulness or independence may be regarded as "troublesome," but the negro who, because of ignorance, cupidity or indifference, is most amenable to control. The enforcement of the terms of the Amendment may increase the registration of negroes at the South, but the increase in the number of the electorate may mean the reduction of its quality. The class of negroes in behalf of which the policy has been invoked will be the first to regret its enforcement and the last to share its benefits.

More serious still are the probable results of the suggested policy, in relation to the white population. The real crux of our suffrage situation at the South now lies not in the negro, whether educated or uneducated, but in the illiterate white man. He is by no means lacking in political capacity. It is a mistake to assume that he is fairly represented by the lowest "cracker" class, or by the "poor white trash" of romantic fiction. He represents a sturdy rural population, a population which is unlettered and untrained, by reason of its isolation rather than because of economic exhaustion or social degeneracy. He has listened, as his fathers have listened for generations before him, to the debate of political issues, and he has been trained by long experience in the clear and rigorous decision of public questions. He excels the negro voter by the genius of his race, by inherited capacity and by a political training which has formed part of the tradition of his class. He is narrow, crude, assertive, and sometimes violent, but he is superior, as a factor in the electorate, not only to the negro, but to any other illiterate population of our country.

Yet his political power is unduly great, and the political importance of his vote is of injury to the party of his alliance, and is of oppressive and tragic significance to the State he sincerely loves. It is in the interest of the State, it is in his own interest and in the interest of his children, that there should be some limitation of his influence. In 1900, there were 8 counties in Alabama in which 20 per cent. and upward of the *white* men of voting age were illiterate; in Georgia, there were 12 such counties; in Virginia 15; in Louisiana 23; in Tennessee 27; in Kentucky 38; in North Carolina 43. For one man who is technically illiterate there is always another who can meet the technical test, but who, to all practical purposes, is illiterate also, illiterate because through the fate of his isolation, and because of the peculiar

social conditions of his rural life, he is seldom called upon to read or write. Within the cities of the South our educational facilities are adequate; but these cities are, for the most part, comparatively small, and they contain but a meagre proportion of the population of the State. In Virginia, in 1900, only 14.7 per cent. of the population lived in incorporated places of 8,000 and over; in Alabama only 7.3 per cent.; in Mississippi only 2.6 per cent.—as contrasted with 61.2 per cent. for New Jersey, 67 per cent. for Massachusetts, and 68.5 per cent. for New York. The South is preponderantly rural. Its public opinion is thus largely under the influence of the social and intellectual conditions of rural life. Its political leadership is, for the most part, in the control of those who know how to command the interest and support of rural localities—localities within which the significance and importance of the illiterate or uneducated vote is often decisive. It frequently determines the working conditions of our leadership, in politics, in the church, in education, in journalism; for that which the uneducated voter has not the knowledge to read he has power to hear and sensitiveness to resent. Thus the task of public criticism becomes formidable indeed, and at times impossible; inasmuch as the saddest and most tragic element of illiteracy is not the mere illiteracy, but the personal and social temper, the state of mind, the suspicions, prejudices and prepossessions which become the habit and tradition of every illiterate class. The very force and vigor of our uneducated population make it quick to feel and act, and make its memories undying.

The far-reaching changes which are fast coming about in the educational conditions of the South make the future full of promise; but it is at present impossible to ignore the immediate practical significance of the social and intellectual conditions within which the struggle for academic and political freedom must be undertaken. That all of the uneducated among our white men should be excluded from the ballot is too much to expect or to ask. No commonwealth can, with self-respect or with the respect of the world, strike the suffrage from the hands of men who have fought in the armies of the state. These constitute, however, but a small and decreasing company. Taking our situation as a whole, it is increasingly obvious that the real emancipation of the South now lies through, and only through, the reduction of the political importance of the uneducated elements of our white electorate.

In this direction lies the deeper moral resolution of the South to-day. The masses of the illiterate negro vote have been eliminated; but the movement of suffrage restriction has not been stopped at the negro. There is much shouting about the black man from the house-tops, but within the house there is much quiet attention to the white man. There may be much profession of an intention to "consider" the white man in the suffrage law proposed; the illiterate white voter may be promised especial favor in the terms of the test; but all men know that the mere imposition of any test—however generous toward certain classes, and however indulgent in its administration—will operate among an ignorant and isolated population as a test of exclusion. Whatever the terms of the law, there will be thousands who—through neglect, or pride, or sensitiveness, or preoccupation—will not take the steps to comply with it.* This conclusion is writ large over the present political experience of every Southern State. It witnesses to a movement which, however little it may have been intended by a few of our political spokesmen, is welcomed with increasing relief by our educated classes and is assuming, with every month, a form more conscious, more deliberate and more resolute. Its success means the success of a new and more fertile leadership of ideas, in church and state; its surrender—the readmission of all the classes of our white illiteracy—means the indefinite postponement of all the broader and happier conditions of academic and political freedom.

Not that the South desires the disfranchisement of any white man. The ties of race attachment are supremely strong. But through her awakening interest in popular education, the South testifies to her desire to bestow the qualifications for the ballot as well as the ballot, and to give suffrage by first fitting for suffrage. Is this double movement of beneficence to be arrested? Is the increasing interest in the qualification of our electorate and in the freedom of its leadership to be brought to disaster? Is the restriction of our white illiteracy — a course demanded by our highest self-interest and repeatedly urged upon us by the negro and by the North—to be the subject of a constitutional penalty?

Under the enforcement of the popular conception of the Four-

* In 1900, Alabama had 232,000 white men of voting age, yet the total vote of the State in November, 1904, was only 108,845. In explaining why more than half the *white* men of the State failed to vote in such an election, our laws restricting the suffrage can hardly be ignored.

teenth Amendment the reduction in the number of voters must result in the loss of representative power. The Amendment knows no distinction of color. Under its popular interpretation, it is proposed to limit the political power of the South in proportion as she limits the number of her negro voters. It is also proposed to limit the political power of the South in proportion as she limits the number of her white voters. The enforcement of the terms of the Amendment is thus calculated to make the South cling with greater tenacity than ever to the body of ignorance in its white electorate; for, while at one moment the North calls upon the South fairly to eliminate its illiterate white vote, in the next moment the South is told that in direct proportion to the elimination which she secures she must submit to the reduction of her representative power. The popular conception of the Amendment proposes a penalty upon suffrage restriction, and it is a penalty which, if applied, must operate to arrest restriction and to readmit to the exercise of the suffrage the classes of our white population which we are gradually attempting to exclude, the classes which form our chief political embarrassment, and the very classes of which the negro and the North have made most complaint.

Words fail me to point the consequences of such a course. Its results would be positive as well as negative; national as well as sectional.

Such an enforcement of the Amendment would operate not only to put a penalty upon the restriction of suffrage, but to place, indirectly, a premium upon its extension. It is a policy which would tempt the State, North as well as South, to broaden the basis of the electorate in order to hold the broadest possible basis of representative power. That a number of Congressmen and a number of electoral votes would be lost to the South, and that a few Congressmen and a few electoral votes would be lost to the North, would be but immediate and temporary incidents of the experiment. The States would be tempted to regain their power, and not only to regain it, but to add to it, by the swelling of election rolls as well as by the indiscriminate registration of electors. The more conscientious States would be at the mercy of the less conscientious. So long as representative influence is determined upon a basis of population, the sources of such influence lie within the view of all. The census of the population deter-

mines once in ten years, with approximate accuracy, the congressional apportionment of the States. But when, under the constraint of the Amendment, the whole basis of representation is modified throughout the country, Congress correcting the representation based upon population by a reduction based upon the restriction of the vote, an insidious temptation is placed before the party—whether in Pennsylvania or in Texas—which is locally dominant. A premium is offered, as has just been stated, to fictitious enrolment as well as to indiscriminate registration, the result of a large vote securing not only the election of party candidates, but a relative increase in the State's electoral and congressional power. That such a policy would bring any advantages to our country, sufficient to offset its evident disadvantages, is quite improbable; and thus the enforcement of the familiar interpretation of the Amendment would be coincident with new perils to the Nation as well as with misfortune and unhappiness to the South.

It is not unnatural that there should be much of moral impatience with the existent suffrage abuses in our Southern States. It will, of course, always be difficult for some of us to understand why the disfranchisement of negroes at the South should excite so much more of interest and indignation than the practical disfranchisement of white men in Philadelphia and in Connecticut; but that there are cases of grave injustice at the South I have no disposition to deny. The South would not assume that her conditions are wholly above reproach. She has not yet solved the grave problems which arise out of her economic conditions in the past, out of the present disparity and the increasing estrangement of her populations, out of that tragic limitation of her revenues which weakens and embarrasses her policies of education. The evils of her fate abound. No man, truly loyal to the South and to the Nation, cares to ignore them. They cannot be met by the idle flattery of our multitudes or by refuge in the traditional sophistries which have so often served the interest of the hot-head and the demagogue. Justice to the intelligent and deserving negro involves no advocacy of "negro rule"; the glory of the Caucasian is to be found not in the races he has learned to cheat and to despise, but in the deserving and despairing souls, of every race, whom he has helped upward to opportunity and happiness. It is well for us to point

out the hypocrisies of the North, but the hypocrisies of the North are not those which will hurt us most. The loyal citizen of the South has more fear of the consequences of Southern insincerities than of Northern; those of the North may unjustly damage our repute; those of the South bring damage to something deeper still, to our institutions, to our children, to our social and political character as a people. And even though condemning the occasional hypocrisy of other sections, we may find, and we do find, an influence of help rather than of injury in the "decent public opinion" of the world.

It is questionable, however, if the suffrage is precisely the point at which the aid or intervention of the Nation can ever be made effective. That suffrage is essentially a local concern of the individual State is implicit in our whole constitutional system. So long as the primal basis of suffrage legislation lies within the State—a basis which cannot be destroyed at the South without being destroyed at the North—the State will always be able to meet any national enactment by some device of local administration. There is no way in which the Nation can guarantee the processes of local administration except by itself assuming the burden of such administration. The Nation will not be able to coerce the local will, unless it break down the whole system of local self-government and substitute the military for the civil power. This would be no essential remedy. It might give a temporary mechanical protection to the injured class, but it would involve the destruction of republican conditions for all men, in the attempt to establish republican conditions for the few. The forcible imposition of democracy from without or from above is a contradiction in terms. There are some things the Nation cannot do. It cannot, at one and the same time, rule by an external army and by a local constitution. If the national Constitution could have reached effectively the precise evils which obtain within the South, the task would have been accomplished in the Fourteenth and Fifteenth Amendments; and if the Amendments have not seemed to be completely adequate, the result is due not to the failure of purpose or ability upon the part of those who framed them, but rather to the nature and the limitations of our constitutional system.

The inadequacy of the Amendments lies, however, in their formulæ rather than in their spirit. Their elementary ideas—

the ideals to which they attempt to give expression—are sufficient and are self-administering. They are self-administering, however, in no mechanical or formal sense, but in the sense that the American character, South as well as North, responds to them, inwardly assents to their truth and therefore to their authority, and looks forward to their ultimate fulfilment. These ideals reside not in their coercive features, not in their penalties or proscriptions, but in their expressions of political and social right. Thus understood, they fundamentally represent but one principle, the principle of civil and political equality; not the equality of individual capacity, or of personal, racial or social value, but the equality of citizens within the order and administration of the State,—*equality before the law,* whether this law represent a trial by jury, a rule of evidence, or a suffrage test. These ideals abide. The American claims them and honors them as part of the tradition of his heritage. Conditions may obscure them, grave and unescapable difficulties may seem to compromise their reality and postpone their recognition, but our whole country, North and South, is steadily moving toward them rather than away from them. In their keeping is the future, for they are of that moral and indefectible order which shall outwatch the blunders and tragedies of our generation.

The attempt, however, to establish any principle of true democracy by a process of penalties is likely to be futile; it is not unlikely to be self-destructive. The setting of class against class—where one class is essentially stronger than the other—may alter the form of class ascendency; it cannot change its inherent and inevitable basis. In such a case a futile penalty is more than a futility; it is a crime against both the strong and the weak; against the strong, because it is the aggravation of unnatural and abnormal hatreds, breaks down the sense of stewardship, increases the sense of indifference and alienation, developing the passions of constraint by imposing a policy of constraint. It is a crime against the weak because it involves a like alienation and a like distrust of moral forces. The North may punish the white man, but the retort of the white man falls too often upon the negro. The negro is upon the line of the cross-fire between the sections. The Federal Government may be solicitous as to his vote, but the negro needs the daily and neighborly solicitude of those who offer opportunities of labor, possibilities of bread. The

North, especially the negro of the North, may wish to strike at the South, but the Southern negro, knowing that he must live with the Southern white man, rightly feels no cowardice in the confession that a privilege accorded voluntarily by the South is worth more than any conceivable privilege that might be imposed externally by the North. The latter may be but a temporary and exotic bauble. The former is a fact to rest in. What it is, it is. Because its basis lies rooted in the common consent of the whole people it is a social and political reality. It is of a piece with nature. It is an achievement of democracy.

It is evident, therefore, that the real power which the North has not, the South has. The essential results, however, await not only the power, but the disposition, and this, too, no external authority can provide. It must be provided, if it is to be provided at all, by the South itself. I have written this paper because I believe that the attempt of the North to provide the power would operate within the South to delay the disposition. And yet I could not have written at all had I not felt justification for the opinion that the South—despite a few strident and reactionary influences—is uniting disposition with power in a gradual but increasing effort to square our political administration with the assumptions of our democratic life.

Compromise with injustice means the compromise of our own welfare. Wrong done in the name of our institutions is a wrong to our institutions rather than to its victims. The white voter who under our own laws remains unqualified, should be excluded in his own interest and in the interest of the State. The qualified negro — qualified by our own tests and under our own laws — should be fairly registered without evasion or postponement. Suffrage purification is no merely negative process. Ballot reform is not a reform by elimination only. It is reform by addition, also,—reform by the addition of the worthy as well as by the elimination of the unworthy. I profoundly disbelieve in any social admixture or amalgamation of the races, but I confess that, in a certain high civic sense, I am glad that I can hold in honor the negro man who after only forty years of freedom is able fairly to stand upon his feet before the white man's law and take the white man's test. The registration of such a man is a security rather than a peril to every sound and legitimate interest of the State. That the South

recognizes his presence and accepts the credentials which he offers is evident from the fact that tens of thousands of such men have been accepted as registered voters under our amended Constitutions. *To increase their numbers,* to knit their loyalty to our institutions, to confirm their liberties, to enlarge the opportunities of the worthy, the industrious, the peaceable among them; to restore between these and our white population the confidences of the past—this may well rank among the honorable and serious interests of church and school and press, of all our adequate leadership.

If I have written, therefore, in opposition to the enforcement of the popular conception of the Fourteenth Amendment, I have done so because I believe the truth and purport of this section of the Constitution lie deeper than its proposals of coercion. If its essential burden be "the equality of men before the law," coercion might delay but could not advance the free and permanent acceptance of this burden at the South. To the weight and meaning of it our civilization is responding. The Amendment is weak where it appeals to force, strong where it appeals to truth. The deeper mind of the South, in appealing from its penalties to its principles and its anticipations, is not at war with life.

EDGAR GARDNER MURPHY.

Montgomery, Alabama, December, 1904.

WORLD-POLITICS.

LONDON: BERLIN: ST. PETERSBURG: WASHINGTON.

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THERE are few things more wonderful or more interesting in the history of modern commerce than the growth of the beet-sugar industry. Thirty years ago, it scarcely existed; its total product was less than a million tons. To-day it yields, I suppose, about six times that amount. Thirty years ago, the quantity of sugar extracted from the beet-root was not more than five per cent.; to-day it is all but fifteen per cent. Two factors have combined to produce these results. One is the extraordinary enterprise of the Continental, and especially the German, manufacturers and producers, and their devotion to new and better methods. The other is the bounties which the Continental Governments have voted to promote the industry. From the combination of these two factors certain consequences have flowed of immense moment to Great Britain. One is that the development of cane-sugar has been cramped. Thirty years ago, the production of cane-sugar available for export was over half as much again as the world's production of beet-sugar. To-day there is, roughly, twice as much beet-sugar produced as cane-sugar. The output of the former has more than quintupled, while the output of the latter has less than doubled, since the early seventies. All cane-sugar countries have felt and suffered from the competition of bounty-fed beet-sugar, but no country more severely than the British West Indies. The reason why the British West Indies have suffered with peculiar severity is partly because they have been cut off from their near and natural market in the United States, and forced to depend on the distant market of Great Britain, and partly because the West-Indian planters have lacked the science, energy and organizing capacity of their beet-growing rivals on the Con-

tinent. It has been fiercely argued, and as fiercely disputed, that bounty-fed beet-sugar would ultimately drive the production of cane-sugar out of existence, that unless the Continental Governments could be persuaded or coerced into abolishing the bounty system the British West Indies were as good as ruined, and that the Continental beet-growers would be in a position to monopolize the British market and exact what prices they pleased. It seemed, at any rate, to be established that the British Government, being responsible for the welfare of the British West Indies, lay under the obligation of doing all it could to get rid of the bounty system.

But here Imperial interests clashed with home interests. If it was to the advantage of the British West Indies to abolish bounties, it was equally to the advantage of England herself to maintain them. And for this very obvious reason. The Continental beet-growers could afford to sell sugar in the British market at less than cost price. Practically all Europe was taxing itself in order to provide Great Britain with cheap sugar. The bounties paid by the Continental Governments went directly to Continental growers and refiners, but indirectly and with still greater benefit to British traders, manufacturers and housewives. Under the operation of the bounty system it was possible for the British consumer to buy sugar at one-half or one-third the price paid for it in the Continental producing countries. The command of this immensely important raw material, at prices far lower than any other rival could purchase it, gave to British manufacturers an opportunity they turned to the fullest account. The confectionery and candy business, the mineral-water business, the jam and pickle business, the biscuit business were built up and developed on the basis of cheap sugar. What was there that could tempt the British Government into depriving the country of the great and manifold advantages which the policy of the Continental Powers had bestowed upon it? Well, there was, first of all, the necessity of "doing something" for the West Indies; and, secondly, there was the fear that, having crushed out the competition of cane-sugar, the Continental beet-growers could afford to surrender their bounty in return for the monopoly of the British market, and that an international trust which would unite the manufacturers in the chief beet-growing countries into a single association and effectively control production, distribution

and prices, would infallibly ensue. To this it was replied that the imports of West-Indian sugar amounted to only some three per cent. of the total British imports of sugar; that to ask Great Britain to pay more for its foreign sugar (ninety-seven per cent. of the whole) in order that it might also pay more for its colonial sugar (three per cent. of the whole) was Imperialism run mad; that the Continental Governments were so deeply committed to bounties that they were about as likely to give them up as to disarm; and that to talk of a monopoly of sugar—the production of which, both from beet and cane was constantly increasing—was as absurd as to talk of a monopoly of corn or cattle. The true policy, it was contended, was for Great Britain to continue to take advantage of the artificial cheapness of sugar as long as possible, and for the West Indies to wake up to the necessity of up-to-date methods.

But Mr. Chamberlain thought otherwise. The West-Indian planters and British sugar-refiners, who had tried for forty years to abolish the Continental bounties, found him an easy mark; and his surrender to their arguments in 1902 marked—though few of us perceived it at the time—his first plunge into Protection and Colonial Preference. It was at his instance, and by the power of his authority, that Great Britain in 1902 entered into the Brussels Convention. Ten sugar-producing and sugar-exporting countries, and Great Britain, which does not produce sugar, but only imports it, were the parties to this Convention. Under its terms, the Governments of the aforesaid ten countries agreed to abolish bounties. Great Britain bound herself not to import sugar from any country which was not a party to the Convention, and which gave bounties. Bounty-fed sugar from the self-governing British colonies might still be imported; but in the Crown Colonies the British Government undertook to grant no bounties. A Permanent Commission of eleven members was established to superintend the workings of the Convention during the five years for which it was to be in force. Among the countries from which Great Britain virtually pledged herself to receive no imports of sugar were, and are, Russia, Egypt, Denmark, the United States, Cuba, the Argentine Republic, Brazil, Chile, Peru, Java, and the Philippines. Such, in rough but, I think, adequate summary, was this Convention. How has it worked? In July, 1902, the price of German eighty-eight per

cent. beet-sugar, f. o. b., was $1 50 per cwt.; in February, 1903, when the Convention was ratified, it rose to $2; in September, 1903, when the prohibition of bounty-fed sugar was first enforced at the ports of the United Kingdom, it rose again to $2 12; in May, 1904, it went to $2 33; in September, 1904, to $2 72; and at the present moment it stands at the abnormal figure of $3 50. In other words, Great Britain is now paying more than twice as much for her sugar as she was paying two and a half years ago.

That much of this increase is due to the drought of last summer and the shortage of nearly a million tons in the year's production of beet-sugar is incontestable. But it is also incontestable that the increase has been enormously aggravated by the workings of the Convention. Ever since the Convention went into force, prices have steadily risen; and, though the extreme jump of the last few weeks is the result of a produce exchange gamble, an increase which has lasted over a period of three crops cannot be explained away by temporary and accidental circumstances. If deficiency of production were the sole cause of the enhanced price all countries would be suffering alike. But, as a matter of fact, the whole burden of it falls on Great Britain. In Switzerland, which is not a party to the Convention and which is importing all the sugar it needs, whether bounty fed or not, the price per cwt. is $1 25 less than in London. Were Great Britain in the same position of freedom, she would now be receiving bounty-fed sugar from Russia and Argentina at prices that would quickly blow the Continental "corner" to pieces. But, having deliberately restricted her sources of supply to the countries that were parties to the Convention, she finds herself in precisely the same position as Lancashire during Mr. Sully's raid on the cotton market. The supporters of the Convention reply that prices have fluctuated just as wildly in the past, and that, by giving cane-sugar a chance of life, the Convention must in the long run not only increase the area of cultivation but make for stability, if not for a lowering, of prices. But so far the Convention has worked in a precisely opposite direction, and at least $40,000,000 of the increased cost of sugar during the past year is due to it, and to it alone. Very little of this increased price has found its way to the West-Indian planters. The country has, in fact, mulcted itself in $40,000,000, in order to make a beggarly present of $500,000, or so, to the West Indies.

Nor is this all. The Continental countries, relieved of the onus of a bounty and protected by a surtax, have, since the ratification of the Convention, greatly increased their consumption of sugar. Prices with them have fallen even more than they have risen in England, and sugar to-day is very little, if at all, cheaper in London than in Paris, Berlin, Brussels or Vienna. For the year ending last August, the consumption of sugar in Germany, France, Austria, Holland and Belgium increased fifty-four per cent.; in England, during the same period, it decreased three per cent. One consequence of all this is that the trades which in England flourish on cheap sugar are severely depressed, are working half-time in some cases, and in others are contributing to the already swollen ranks of the unemployed. Another consequence is that the openings in foreign markets which cheap sugar has enabled British manufacturers of jam, pickles, chocolate, mineral-waters, etc., to secure, are now being seized upon by the foreigners themselves. This is especially the case with the Swiss, who are taking all they can lay hands on of the 500,000 tons of bounty-fed sugar that Russia is prepared to sell, and who are busily ordering machinery and building factories for the preserving and candy businesses.

I have ventured to go into this matter so fully, not merely because it is at this moment fiercely debated in England, but because it is an invaluable object-lesson in the realities of Protection and Colonial Preference. No picture-in-little of what Mr. Chamberlain's policy actually results in could be more complete. With regard to other trades, his predictions are predictions merely. In the case of sugar, they have been brought to the test and found singularly false. The presumption is established that, could Mr. Chamberlain treat corn, and iron and steel, and so on, as he has treated sugar, the results would not be very different. For in the case of sugar we have seen Great Britain attempting to defend the Colonies against foreign countries, and to increase the trade between those Colonies and herself. We have seen her, for this purpose, interfering with the free and open market on which her commercial policy has rested for nearly sixty years. We were told that the West Indies and the sugar-refiners would benefit, and that the British public would not suffer. We now find that the British public has suffered to the extent of $40,000,000 in a single year; that the West Indies have benefited to the

extent of possibly $500,000; that the sugar-refiners are not nearly so important to the commercial prosperity of the country as the manufacturers who use sugar as a raw material, and need it at the lowest price if they are to hold their supremacy; and that, by shutting herself off from unhindered access to the cheapest market, Great Britain has done her rivals a great service and herself a great harm.

It is pretty well understood that the Government intends next session to introduce a Redistribution Bill. Whether it also intends to pass the Bill, or whether it is simply searching for a less obnoxious issue than the Fiscal question on which to appeal to the country; whether Mr. Chamberlain has agreed to support the Bill, and if so, on what terms—all this is at present guesswork merely. Some say that Mr. Balfour is confident he can rally the whole of the Unionist party to a Bill which, whatever it may be called, is really a Bill for the partial disfranchisement of Ireland, and that he will not only tide over next session, but that the spring of 1906 will still find him in power. Others again declare that Mr. Chamberlain realizes that if he consents to delay the General Election until a Redistribution Bill is passed, he would practically be confessing that his Fiscal policy has failed, and that, unless he can secure from Mr. Balfour some exceptionally satisfactory assurances on the major programme, he will take an early chance of forcing a dissolution. However this may be, the question of Redistribution is again to the fore. The facts which weigh with English statesmen and in English opinion are easily stated. England and Wales have a population of 32,527,000, Scotland of 4,472,103, and Ireland of 4,458,775. The registered electors for 1904 were in England and Wales, 5,643,170; in Scotland, 724,820; and in Ireland, 698,712. England and Wales contribute to Imperial expenditure 87.02 per cent. of the whole, Scotland 10.67 per cent., and Ireland 2.31 per cent. Nevertheless, while England and Wales are represented in the House of Commons by 495 members and Scotland by 72, Ireland sends to the Imperial Legislature no fewer than 103 representatives. If the proportions were to be adjusted in accordance with the number of registered electors, England and Wales would have 535 members or 40 more than at present, Scotland would have 69 members or 3 less than she has now, and Ireland 66, or 37 fewer than she now possesses. On a basis of population, Eng-

land and Wales should have 526 members, Scotland 72 and Ireland 72. At the very least, therefore, Ireland is overrepresented to the extent of 31 members.

Those who are made indignant by such facts as these will be further agitated to hear that the disparity between the largest and the smallest constituency in the United Kingdom is as 28 to one; that one-half of the 670 members represent 4,652,878 electors and the other half only 2,413,825; that one-half of the electors send 464 members to Parliament and the other half 206. It is taken for granted that any final and comprehensive Redistribution scheme would lop off 31 Irish seats and parcel them out among English constituencies that at present are under-represented. This could, of course, be done without in any way seeming to discriminate against the Irish just as the Southern States have disfranchised the negroes without once mentioning them. For instance, it could be done by providing that constituencies of less than 5,000 electors should cease to be represented and that constituencies of over 15,000 electors should return two members; but unless he is deliberately riding for a fall, I hardly expect Mr. Balfour to attempt anything so heroic as all that. It is well established that a great many English constituencies, especially in the neighborhood of London, are ludicrously underrepresented; but the mainspring of any Redistribution Bill introduced by a Unionist Government will be the desire to decrease the number of Irish constituencies, rather than to increase the number of English constituencies. In some quarters, it is hoped that, whatever scheme is hit upon, room may be found in it for some such automatic readjustment as follows the decennial census in the United States.

The attitude of the Liberal party towards the whole question is clearly marked. To Redistribution as a principle they are not opposed; but to a Redistribution Bill simply brought forward to side-track the Fiscal question, they are absolutely hostile. Before any new measure of a large and complex character is brought forward, they hold that the Fiscal issue should be disposed of. In other words, their policy is Dissolution. If, however, Mr. Balfour refuses to dissolve and persists with his Redistribution scheme, the Liberals would insist on combining with it Registration reform. They would raise the old cry of "One man, one vote." Again, they would argue that, if there is to be Redistribu-

tion, it must be Redistribution all round, and that no scheme would be acceptable to them which was really used as a cloak for Irish disfranchisement. Furthermore, they would probably insist that, as the amount of Irish representation in Parliament was settled by the Act of Union, it could be reduced only by the consent of the Irish themselves. There is not really much soundness in this argument, but there is a good deal in the plea that Redistribution should only be proceeded with by unanimous agreement between the two great English parties. One may, therefore, take it that Mr. Balfour's scheme will meet with the most determined opposition. But the fate of the Bill is more likely to rest with Mr. Chamberlain than with the Liberals. If he gives the word, it can be carried. If he declines to support it, it cannot. There is, however, a third alternative. The Bill may be proceeded with just far enough to throw the Liberals and the Irish Nationalists once more into an alliance, and then withdrawn. Mr. Balfour might then appeal to the country on the off chance that the Irish question and the relations of the Liberals with the Nationalist party would revive the cry that "The Union is in danger!" and so obscure for a time the disastrous Fiscal issue.

BERLIN, *December, 1904.*

IT was shown in a former communication that one of the immediate effects of the present war has been to throw into sharp relief the relations of the European Powers towards one another, and that already a distinct dislocation in the old grouping was noticeable—England and France, on the one hand, having established what is known as the *entente cordiale,* while Germany, conscious of the centrifugal agencies tending to weaken the Triple Alliance, has deliberately cast in her lot with Russia, thereby strengthening the reactionary forces of Eastern Europe as opposed to the democratic influences of the West. This displacement of the old balance of power has taken place so rapidly—almost, as it were, automatically—that it has escaped the notice of the general public, though it has long been the desire of England to live on terms of friendship with France, and of Germany to reinsure herself with her Eastern neighbor. And now that both England and Germany have secured allies,—all the more valuable perhaps in that, in both cases, the bond is one of

mutual interest and sympathy and is not elaborated upon paper, —a certain reaction is taking place, both Great Britain and Germany feeling that possibly they may have gone too fast, while the consequences, not altogether unforeseen, are making themselves rapidly felt. The Anglophobia of the Germans has generated a corresponding dislike and distrust of Germany in England; and, as Germany must now be placed in the Eastern constellation, it stands to reason that the national reciprocal antipathy of two such virile peoples as the English and the Germans constitutes a real source of danger to the permanent peace of Europe. This fact is now receiving the serious attention of all responsible statesmen in both England and Germany, who, alarmed at the unmistakable signs of growing hostility evinced by both peoples towards one another, are now casting about for ways and means to effect a better feeling, and establish somewhat less strained relations. For these relations are far from being satisfactory, nor do they tend to improve; rather is the contrary the case. It is, therefore, obvious that, with a Europe divided politically into two sharp divisions of East and West, and with the two most powerful nations in these two sections mutually distrusting and continually carping at one another, a situation is created which, from a chronic state of discord and friction, might easily lead to permanent estrangement and hostility, the ultimate issue of which might be of the gravest nature. England represents the West, Germany the East, of Europe. In this necessarily conflicting division, the hostility of any one side towards the other inevitably renders the problem of how to maintain peace infinitely more complex, and its issue infinitely more momentous. For this question of maintaining peace is, without doubt, the great problem of all statesmen of the present century. It is one which Governments will have to face, for the peoples of all nations are growing sick and tired of war.

In Europe the hope for peace lies largely in France. There is reason to believe that the fighting people of Europe today are no longer the French, but the Germans. To the latter permanent peace would constitute an insuperable bar to the realization of all Germany's ultimate aims and ambitions. The marvellous development of Germany since the creation of the Empire justifies her ambitions to a large extent; and, as Bismarckian policy is based in all its essentials upon the law of the

survival of the fittest, it is natural enough that the modern German, conscious of his vitality and creative energy, should look forward into the future with the eyes of a Napoleon, desirous above all things to expand, conquer and rule.

In many ways, Germany to-day is in somewhat the same position as was England at the beginning of Queen Victoria's reign. She is in process of development, and all within is restless and unsettled. Her economic conditions compel her to expand, but her tardy appearance upon the world's stage throttles her initiative. What with her present strength she could have accomplished thirty years ago by peaceful penetration, she could only acquire now by recourse to arms. She resembles a giant endowed by nature with every conceivable physical and intellectual advantage, yet who is forced to inaction and to live in cramped premises. She needs room, oversea possessions, and markets; and, if she fails to obtain them, her very existence as a world Power will be jeopardized, and the future of the German race blighted. This, the Pan-German idea, though not conceived by Bismarck, is now the root policy of modern Germany, and as such is accepted by the German people. It is a policy of peace and economic development, until the hour of striking is at hand. Based on force, which is also its justification, this policy will continue to mature until, by its very maturity, the good things of this world—the earth and its riches—fall naturally into its lap, or may be seized with impunity. To this end, the German fleet is being built. In the armed peace of the world, Germany is the central figure. The greater the duration of peace, the greater grow Germany's final chances; but it must be a peace maintained by the fear of war, and based on bloated armaments. And so Germany's *rôle* to-day is peaceful, for she lives for the future struggle which is to assure her position in the world.

With France, it is precisely the contrary. With that quick grasp of things and events peculiar to the nation, the French now realize that all hope of successfully attacking Germany and obtaining *la revanche* has practically vanished. War being now largely a question of numbers, it is obvious that, as the population of France recedes while that of Germany increases by leaps and bounds, France is annually less and less able to cope with Germany, and even now would be placed at a serious numerical disadvantage in the event of hostilities breaking out between

the two countries. Then, too, democracy is rising, and seems likely to prevail, despite Jesuitical influences and the convulsive agonies of a decayed and decadent aristocracy. And so the French have discovered peace, not so much from the fear of war, but rather from the growing conviction that they have little to gain and much to lose through war, while the higher interests of the nation are better served by dignified and honorable peace. Thus, disappointed in Russia, who has steadily declined to play the part of avenger, France has turned to England for refuge, in whom she sees—and rightly so—a natural ally in all her sympathies and ideals. And, as Russia declined to draw the sword at Fashoda, so France has proclaimed her sincerely peaceful proclivities by refusing to be drawn into the vortex of Russian Asiatic expansion. Never has the French nation been so peaceful as at the present moment. Never have *idéologues* and apostles of peace had more cause to rejoice than at this hopeful sign. For, with France and England desirous of peace, and inwardly determined to cooperate towards its maintenance, a real temple of peace is created which is likely to prove lasting.

The strength of the *entente* was signally evidenced in connection with the Hull incident, when, had France been in the very least maliciously inclined, war would inevitably have resulted. As it was, the French ambassador calmed the troubled waters, and made negotiations, even with the Russian Government half inclined to let things take their course, once more possible. Thus, despite the dangers attaching to the issue of the present war, so feared by all European statesmen, and the possibility of complications involving questions of vital national interests, the prospects of peace are growing more favorable, as the horrors and appalling calamity of modern warfare are brought home to all. In this sense the alliance between England and France can only work for good. It consolidates the West of Europe in a bond of self-interested peace, and links the two most highly civilized nations of Europe in chains of amity and goodwill. When the next Peace Conference is called, that joint influence will make itself felt in a manner undreamt of when last the nations met shyly together to quarrel over disarmament.

Those sceptics who smiled at the bare idea of the Second Peace Conference, that President Roosevelt has summoned, are likely to be genuinely astonished when the delegates of peace finally

meet together again and it is found how sincere is their desire to come to some rational agreement. If three such mighty peoples as the English, the French and the Americans then combine their energies to initiate an era of peace, it will go hard with them if their efforts are not crowned partially with success. The corner-stone of peace has been laid, and the solidarity of Western Europe must already be regarded as one of the most auspicious events of modern times.

It is for this reason, too, that the tension between England and Germany is so severely exercising the minds of German statesmen. The reasons for this estrangement are well known. Bitter animosity, born of envy and rancour, on the part of Germans towards everything English, and, on the side of England, commercial rivalry and growing distrust of German diplomacy, have, together with a series of untoward incidents and misunderstandings, contributed so to estrange the two nations that at this moment it is no exaggeration to say that the only people viewed with unfriendly eyes by Englishmen are the Germans, who entirely reciprocate that feeling. The result is that Germany finds her path obstructed, and, even in the byways of diplomacy, the passive resistance of England now has to be reckoned with.

Indeed, so much is this the case that German diplomatists make open complaint of the frigid reception accorded by England to all their overtures, while every suggestion put forward by Germany is immediately marked by England as a fresh cause for distrust. In the last few years, in particular, German diplomacy has repeatedly had to suffer a polite rebuff at the hands of England, who, in truth, is equally sincere in her cause of complaint. The German bogey is, in short, everywhere. If anything occurs to disturb the equal course of events, it is immediately ascribed to some artifice of the Wilhelmstrasse, which is commonly reported to be a very store-house of Machiavellian intrigue. Thus Germany is seriously believed in England to have brought about the Hull incident; and it is even contended by serious politicians that the German navy was only awaiting the signal to dash across and engage the Channel fleet. Needless to say, the German Emperor is far more astute than that. To risk the German fleet at this juncture would have been midsummer madness, and as for the other matter, well, it is conceivable that German agents had a hand in the pother, but utterly

improbable that Admiral Rojestvensky was acting upon orders when he fired at the Hull trawlers, and still more so that the German Government was in any way privy to that outrage. Both suppositions should be dismissed as absurd. But it is a curious instance of the state of British feeling towards Germany, and justifies German official opinion in viewing the future with some nervousness. And so the German Government has determined to break with all the traditions of German diplomacy and proclaim to the world her friendship for England. As a set-off the German Chancellor, contrary to all custom, submitted to an interview which was immediately published in the "Nineteenth Century." In this interview, which Count von Bülow shortly afterwards justified in a speech in the Reichstag, the Chancellor delivered himself of a number of well-thought-out platitudes, and denied roundly all the many accusations levelled by English publicists at German diplomacy. This new departure in German policy seems to have had a good effect. It will be followed by various other official proclamations, while in England the cue has already gone forth in the London press to exercise moderation and cease from attacking German policy. This cue is likely to be followed, for Germany has given the British Government plainly to understand that, if the English press continues its assaults upon Germany, a counter attack would be initiated in the German press, the results of which might be very serious to both parties. There is, therefore, reasonable hope to believe that outwardly, at any rate, less will be said in the future about German intrigue, and duplicity towards England.

At the same time, it seems unlikely that England's distrust of Germany will give way to a renewal of that naïve confidence in the friendship of that country which characterized Lord Salisbury's era at the Foreign Office. Nor can Germany really hope entirely to regain that misplaced confidence, as the following well-authenticated instance of the value of German assurances will show. Even at the moment when Count von Bülow was assuring the world in the "Nineteenth Century" of Germany's friendship for England, and denying all breaches of neutrality in favor of Russia, a secret leaked out in diplomatic circles which caused considerable surprise and consternation. It referred to the much-questioned whereabouts of the notorious Russian vessels "Smolensk" and "St. Petersburg" after the dis-

graceful "Malacca" incident, when, as will be remembered, they disappeared round Aden and for a number of weeks were able to defy the vigilance of the English cruisers despatched to bespeak them and send them back to their own country. Suddenly, they were sighted off the coast of South Africa. "Where had they been hiding?" everybody asked, and still asks, not thinking of German possessions in those parts where, as a matter of fact, the two ships had all the time been in concealment, had taken in coal and provisions, and effected repairs. Now, this constitutes a grave breach of neutrality, and is only one other example of German friendship for Russia, and duplicity towards England. As often stated, Germany must choose between England and Russia; she cannot possibly be the loyal friend of both. And, as she has already decided for Russia and during the present war has given innumerable proofs of that friendship, England cannot be expected any longer to play the part of Germany's second fiddle, to be pulled out of its case only when the favorite one is somewhat out of tune. The press controversy may be stopped, and the relations between the two peoples once more placed upon a normal basis. But the future alone can show whether the respective destinies of England and Germany lie along divergent lines, and whether, if upon a converging plane, they must necessarily clash together.

St. Petersburg, *December, 1904.*

At two o'clock in the afternoon of Saturday, November 19th, ninety-eight country gentlemen met together in a private flat on one of the quays of St. Petersburg to talk over the condition of Russia. They had no mandate from the people and no authorization from the Government, yet they hoped to change very radically the reciprocal relations of both. And, curiously enough, their gathering was a flagrant breach of Imperial "law," as it is now administered, and would a few months ago have made them inmates of prisons or exiles to Siberia. For, in Russia, the act of assembling to discuss politics is a heinous crime against the State, while the passing of resolutions circumscribing the God-given power of the Tsar and affirming the necessity of self-government by the people amounts to high treason of the blackest dye. If, therefore, the Zemstvo meeting had taken place early last July, the chief Minister, Plehve, would have smitten with

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his thunderbolts the traitors who attended it, and struck terror into the millions who openly shared their ideas. But since Plehve disappeared there has been joy in Russia, whose national life, leavened with a little freedom, is now quickened, dilated, buoyant. And the ninety-eight individuals who preside over the elective, self-governing local councils, known as Zemstvos, fired by the new liberal spirit, felt it their duty to call attention to the alarming state of the country, and to propose measures for warding off a catastrophe.

Things had come to such a pass, they said, that any and every Russian who could descry the danger ahead was bound to give the alarm; and, as a Zemstvo Council was about to be held in Moscow to discuss provincial affairs, it occurred to them to deliberate on the public weal at the same time.

The Tsar and Prince Mirsky were aware of the intention of the Zemstvos, and the Minister kept in close touch with them throughout. The Emperor and the Grand-Dukes would gladly have dropped an extinguisher upon that dangerous flame, but, possessing none big enough, they feared they might burn their fingers badly in the attempt. For it is no longer a mere secret society, or a hole-and-corner opposition, which calls upon the ruler to let his power be limited, and exhorts his people to take part in the government of the country; it is the collective voice of all thinking Russia. Not all the prisons of the Tsardom, even were they emptied of common criminals, could hold the political misdemeanants who must be shut up if the leaders of the present movement were to be immured.

It was in Moscow, then, that the chiefs of the Zemstvos were to have assembled in defiance of the "law." But Prince Mirsky at once resolved to legalize the proceedings and shape them—not with any Machiavellian object, but from a sense of duty. He accordingly obtained power from the Tsar to convene the presidents in St. Petersburg, and to offer them a spacious Council Chamber in the Ministry of the Interior. They accepted this offer with gratitude. Their programme included among the subjects of debate the unbearable condition of the people, the disintegrating influence of the present régime, and the most effectual remedies. To this list of questions Prince Mirsky demurred. But the presidents would eliminate nothing. They refused even to put off the Convention until January, when his Majesty hoped he

might see his way to more definite action. Finally, the issues were referred to the Tsar himself.

Now, the attitude of the Tsar has generally been marked by irresolution and embodied in half measures. But in one respect he has never wavered; he takes the *rôle* of Autocrat most seriously, and will not surrender to man the power which he believes he has received from God. For Nicholas II., Constitutional Government is still wholly outside the pale of practical politics. For that reason, he forbade the presidents of the Zemstvos to come together in November, in January, or indeed at all, unless they first struck out of their programme all political questions. That they stubbornly refused to do.

The serenity of the Zemstvo leaders was not greatly ruffled by the Emperor's prohibition. Nor did they in the slightest degree modify their plan in consequence; the fatherland being in danger, they would meet, they said, at all hazards. Seeing that they meant what they said, Prince Mirsky suggested that, for an unauthorized congress, any provincial city would be better than the capital. But the organizers of the meeting refused to alter even that point of their programme. They did, however, undertake to deliberate in secret, and to exclude all outsiders from the council-chamber. The Minister then undertook that they should not be molested by the police, and to the Russian press he issued a stringent order to look the other way and ignore the assembly and all its doings and strivings. That is how Russia got her historic States-General together.

The members of this preparatory Congress were not daring radicals, with a strong infusion of the political martyr's spirit. A milder and more submissive set of men it would be hard to find anywhere, even in Russia. They all belong to the privileged class: all are landed proprietors, all members of the nobility. Many among them are Councillors of State, Privy Councillors, Excellencies, Counts and Princes, Chamberlains of his Imperial Majesty. One of the Vice-Chairmen was Prince Lvoff, one of the most eloquent orators was Count Heyden. None of them cherished republican aspirations, none displayed democratic tendencies. They thought and spoke as loyal subjects of the Tsar.

The deliberations lasted four days and culminated in a series of resolutions. All members were at one as to the grievances of the nation; the people are treated as helpless children, and

deprived of a share in conducting their own affairs; they are never allowed to meet and discuss their needs; an individual can be arrested and imprisoned at any moment and without trial; he has no liberty of conscience, nor of speech. This state of things was frankly avowed and deplored, and effectual remedies called for without a dissentient voice.

It was on the question of narrowing the powers of the Emperor and establishing a Constitutional Government that the Congress divided. And no wonder! All its members enjoy vast privileges, of which the Tsar is the source. They pay no direct taxes. They have always been exempted from corporal punishment. Their sons alone can enter the military, naval, and high law schools, which train the future commanders of the army and fleet and the high dignitaries of State. In a word, collectively and individually they had strong reasons for eschewing the questions of Autocracy and Representative Government. Indeed, their only motive for tackling those problems was pure humanity and sympathy for the wretched peasants; yet they sacrificed their personal interests to the just claims of their fellows. The source whence they drew their strength was the new-born spirit of the nation. By a majority of 71 against 27 the Congress demanded Constitutional Government.

That such a claim should have been put forward as irreducible by very moderate members of the nobility is the most pregnant event of Russian history since the days of Peter the Great. For those improvised congressmen are by far the most conservative elements of society; behind them press strenuously forward the crowds whose temper is become electric, whose wild democratic instincts stifle all arguments of political wisdom. The smallest concessions, then, which, in the belief of the Tsar's henchmen and lieges, can save the nation from disaster include the abolition of Autocracy and of class distinctions, as well as a number of other liberal measures which form the alpha and omega of the wished-for Constitutional Charter. Representative Government and national ruin are the alternatives between which the Russian people must choose. That in brief is the meaning of the resolutions passed by the Congress on the Fontanka.

Another most significant sign of the new time is the *rôle* which has been deliberately assigned to the Tsar. Minister and congressmen have both placed him face to face with the people. It

was he, and not Prince Mirsky, who forbade the Zemstvo presidents to meet officially. It was to the Tsar that the congressmen sent their resolutions, the Minister promising to lay them before him. It is he, and only he, who can give effect to the demands of the Convention. Henceforth, therefore, Nicholas II. is deprived of a Ministerial screen. He alone *can* do wrong in Russian politics. If he withhold the reforms, he is personally responsible to the people; and even now the people are openly mooting the contingency in terms which are unwonted and disquieting. For, to be frank, the Emperor is eminently unpopular. Four years ago he was set down as weak-willed but well-meaning, the hypnotized victim of a strong and unscrupulous Grand Vizier. To-day he is spoken of as an obstacle to all popular progress.

He is now known to have provoked the war without willing it, as a child might set fire to gunpowder without wishing to cause an explosion. His Viceroy Alexeyeff has ungenerously allowed it to be known that, after Japan had broken off diplomatic negotiations, a telegram was sent to him from St. Petersburg assuring him that war was out of the question. For that reason he took no special precautions by way of preparing for it. Now the Ministry of Foreign Affairs denies all knowledge of that despatch, which can have been forwarded only by the Tsar. And on the evening of the day when his Majesty sent it, the Russian Squadron at Port Arthur was attacked and damaged by the Japanese. Again it is a matter of public knowledge that it was the Russian monarch who indirectly helped the Japanese by hampering Kuropatkin and subjecting his plans to the criticism of an Admiral. It is further complained that the Russian soldiers have rarely clothing or food enough; that the wounded have often to lie for days without medical treatment, many of them dying slowly in unspeakable agony; that the convalescent are literally starved on the way home, and that the Imperial house offers no help. These facts are known and, despite the efforts of the Censorship, have been published. Yet the Dynasty, and only the Dynasty, insists on carrying on the war to the end. Members of the Imperial family run no risks, make no sacrifice, give neither their blood nor their work nor their substance for the success of a policy which is theirs and not the people's. The Emperor and his kindred have not bestowed even a money donation upon the active army, or upon the wounded who are suffer-

ing or dying for their cause. They have, however, exhorted the people to subscribe largely and have bitterly upbraided them for not subscribing enough.

At present Tsar and Zemstvo stand confronting each other. Behind the Zemstvo are the thinking elements of the nation. Behind the Autocrat his army, his police, his spies, his heavy guns, magazine rifles, formidable prisons, gold and silver, telegraphs, railways, and all the resources of applied science. The first question which presents itself is whether those two parties will compose their quarrel peaceably or resort to violence. To this query no definite answer is as yet possible. Everything depends upon the mood of the Tsar, the motives to which he is peculiarly susceptible, and the force with which these motives are set before him. There are, however, many and interesting data which tend to reveal the direction in which he is naturally and deliberately disposed to move. And the general conclusion from all these is that, while willing to make the effort requisite to don the velvet glove, he will not dispense with the iron hand. It follows that Prince Mirsky's *rôle* is to purchase by honied words the public tranquillity and loyalty which the Russian people is minded to exchange only for serious concessions embodied in permanent institutions. For as yet there has been no modification of system, nothing but a gentler way of applying Draconian legislation. Here are a few illustrations:

Certain exiles have been allowed to return from Siberia or abroad and certain prisoners have been released from their cells in Russia. This humane measure sounds well in a telegram to the American or European press. But in Russia it imposes upon no one. For those favored "criminals" constitute only a fraction of the legion whom Plehve arrested and spirited away without trial. At this moment, there are political suspects in the Moscow prison who deserve justice if not mercy, young fellows who, in any free country, would be in the vanguard of progress. They were arrested at various times, on the secret reports of spies, on the anonymous accusations of private and spiteful enemies or through the excessive zeal of the police. Some have been immured six months; others ten, twelve, sixteen months; and one for over two years. But none of them has had a chance of defending himself. On November 22d, they one and all refused their food and resolved to die of hunger unless the Government

promised to bring them to trial before February 14th next. On December 1st, four of them were set free altogether, nothing being alleged against them. The remainder are still in their cells, emaciated but resolute; for this is the tenth day of their black fast. Their mothers, their sisters, their friends are rushing about from salon to salon, beseeching influential personages, not indeed to have them released, but only to have them tried. The system under which they were kidnapped and buried alive still subsists. Is it likely that the Tsar will grant representative Government?

Again, the army of the secret police has not been disbanded. Where two or three Russians are gathered together in the name of pleasure, business or duty, at least one of those Judases is in the midst of them. They worm themselves into the confidence of private people, read their letters, pry into their secrets and sometimes endeavor to make money or to gratify passions by help of the insight which they gain into family affairs. Sometimes when these professional traitors have a grudge against a man who chances to be in their way, or a woman who rejects their infamous overtures with scorn, they, so to say, press a button and the Imperial machinery does the rest. Now these secret legionaries are well fed, well clad, well paid and cost the State millions every year, while the heroes of Turenchen, Tashichao, Laoyan, are being sent home in open goods-wagons, left for several days without warm food of any kind, and fed during the journey on less than two pounds of black bread a day.* This happened and happens, not at the front, but in Russia where food is plentiful. Most of the wounded are treated in the same way. And the circumstance that the Tsar, who has given nothing from the State revenue nor from his privy purse to alleviate the sufferings of these heroes, refuses to allow his army of spies to have a dollar taken from their salaries, is bitterly commented upon as symptomatic.

Another of those straws which show the quarter whence the wind blows is the circumstance that one of the Zemstvo men has been dismissed from the high school of law where he had a chair, because he took part in the Congress. Professor Nabokoff, son of

* "*Russkia Vedomosti*," 5th November, 1904. One soldier, wounded in the jaw-bone and throat, could drink only milk; yet all his daily allowance was but enough for one glass and a quarter of milk daily.

the late Minister of Justice and colleague of Professor Martens, has just been compelled to tender his resignation.

As for the Russian people, they are, so to say, on fire. All sections of society, all classes of the population, avail themselves of the slightest pretext to come together and demand the abolition of one-man power. The lawyers of St. Petersburg are about to sign a petition praying for constitutional Government. The working-men are organizing a vast manifestation in favor of representative institutions. Authors are propagating liberal doctrines throughout the Empire. Journalists vie with authors. Municipalities, guilds, benevolent associations, are seconding the demands of the Zemstvos. A section of students have published a manifesto in which they proclaim that Autocracy must cease to be, "the infamous war must be stopped, and a Constitutional Assembly immediately convoked."

Such is the temper of the two forces which now face each other with unfriendly feelings. On which side is victory likely to smile? It has often been affirmed that a hundred thousand disciplined men directed by a central despotism can keep in check a hundred millions who lack organization and training. But that is only the mechanical aspect of the problem. In a similar way, assuming that it takes a hundred workmen twelve hours to build a wall, it may be correct to infer that two hundred will do it in six hours; but surely it would be rash to conclude that 144,000 masons could accomplish the task in half a minute. So we can say of the Russian people that it cannot effect a revolution in the historical, French sense of the word. But it would be unwise to add that its efforts are doomed to utter failure. In all such problems the unknown factors are many and their force incalculable.

Prince Mirsky is not regarded as a hindrance to progress. His views are known, his methods are liked, his honesty is recognized and appreciated. And moderate men would be relieved to feel that the Autocrat upon whose fiat so much depends will take his cue from the Minister. But whether he concedes reform or withholds it, is immaterial to the final results. If he be in a yielding mood, the change now inevitable will be gradual, peaceful, moderate; otherwise it will come later, suddenly and with revolutionary thoroughness. In any case, the sands of autocracy seem to have run down, and Nicholas II. is probably the last absolute monarch of all the Russias.

WASHINGTON, *December, 1904.*

THE President's annual message and the reception which it has met with from the Federal Legislature and throughout the country are events which obviously have both a direct and an indirect effect on the actual and prospective relations of the United States to foreign countries. Clearly, therefore, they are events which belong to the domain of "world-politics." Not, of course, that the whole of the message would be thus described in ordinary parlance. Nobody, for instance, in any European capital is concerned, even remotely, in the preservation of our forests, in our method of dealing with the public lands, in our treatment of the Indians, in our game-preserves, in the species of local self-government that may be given to Alaska, or in our pension system, except so far as the vast sum annually allotted to it may be deemed to cripple our Treasury for other purposes. It is otherwise, of course, with the disclosure of the policy which the President means to follow with reference to the great Powers of Europe and Asia, and with regard to Latin-American republics. It is manifest that foreign onlookers are keenly interested also in learning what steps will be taken to assure an effective prosecution of our policy by means of a strong navy and of an army which, though not large, should be efficient and capable of quick expansion. What we mean to do about the Philippines is likewise a matter of manifest moment to all the countries concerned in the development of the Far East. It is clear, moreover, that indirectly foreign nations may be affected by the extension of our cultivable area by irrigation, and by improvements in our methods of agriculture, for thus our capacity for purveying food staples and raw products will necessarily be augmented. Nor is it only our increasing qualifications for the production of manufactures, as well as of food and raw materials, that foreigners will scan with curiosity. They also recognize that our exports might be materially influenced by changes in our arrangements for internal transportation. They cannot, therefore, view with indifference the President's recommendation that the Interstate Commerce Commission should be invested with the power to fix railway rates. It is solely from the view-point of their relation to world-politics and world-economics that we purpose here to mark some of Mr. Roosevelt's suggestions.

That part of Mr. Roosevelt's exceptionally long but unusually

interesting message which discusses our foreign relations has by no means given unqualified satisfaction to foreign diplomatists and newspapers. They do not, and cannot, indeed, object to what the President has to say about the duties of a highly enlightened nation, chief of which is the avoidance of helplessness by the maintenance of naval and military armaments commensurate with its responsibilities. Who will dispute the assertion that the goal which should be set before us as a nation, the goal which should be set, in truth, before all mankind, is the attainment of the "peace of justice," the peace, that is, which comes when each nation is not merely safeguarded in its own rights, but scrupulously recognizes and performs its duty toward other peoples? Evidently, Mr. Roosevelt would not, for a moment, deny that, as a rule, peace makes for righteousness, but he submits that, whenever there is conflict between the two things, our fealty is due, first, to the cause of righteousness. Better a righteous war than a pusillanimous peace. Neither is it doubtful that the right to be free cannot be divorced from the will and the power to defend that right. Freedom, as one of our poets has said, is not a gift that tarries long with cowards. That we may be prepared to protect our interests, and to perform the duties imposed upon us as humane and enlightened citizens of the world, Mr. Roosevelt insists that there should be no halt in the work of upbuilding the American navy, and that our existing standing army should be unreduced in point of size, and so perfected in efficiency as to be at least the equal of any body of troops of the same number belonging to any other nation upon earth. It would be, as Mr. Roosevelt says, not merely unwise, but contemptible, for a commonwealth, as for an individual, to use high-sounding language in proclaiming purposes or in assuming positions that can only be sustained by force, and then to fail to provide the force. But, while emphasizing the need of "carrying a big stick," the President dwells upon the proofs given by our Government of the sincerity of its wish to minimize the temptation to use it, by proposing a second peace conference at The Hague, and by negotiating treaties of arbitration with all Powers which are willing to enter into such agreements.

So far there can be no possible objection to Mr. Roosevelt's conception of the principles which should govern our foreign relations. Nor is it a question of substance so much as of form

which is mooted by those foreign diplomats who raise their eyebrows at the curtness and unconventional frankness with which the President refers to a matter which has caused our State Department's representatives in Russia a good deal of trouble. We allude to the difficulty encountered by our Ambassadors at St. Petersburg in securing for our Jewish fellow citizens the right to receive passports and to travel through Russian territory. Mr. Roosevelt does not hesitate to say that not only is the obstruction which that right has experienced unjust and irritating toward us, but the wisdom of it from Russia's standpoint is not easily discernible. He declares that "no conceivable good is accomplished by it." Mr. Roosevelt is not the first man to flutter the dove-cotes of diplomacy by acting on the assumption that much valuable time may be saved by blunt truth-telling. Bismarck was notorious for rude veracity, but we never heard that he or his country lost anything by it.

It is easy to understand why Mr. Roosevelt's definition of the way in which the Monroe Doctrine will be construed during his administration should be eyed with disfavor at Berlin, but it is at the first glance difficult to see why it should also have given offence to many London newspapers. If, however, the long paragraph relating to this subject be read with care, the reader will arrive, we think, at the conclusion that Mr. Roosevelt has done a good deal of thinking about the future of this continent during the last twelvemonth, and that he does not purpose again to countenance such a partial confiscation of an American republic's revenues for the payment of ordinary debts as was practised by the blockading Powers in the case of Venezuela. We do not for a moment imagine that Mr. Roosevelt would dispute the right of any self-respecting Power, whether European or American, to exact by force a reasonable reparation for any insult offered to its flag or to its official representatives, or for any injury done by violence to the life or property of one of its citizens or subjects. But, when it comes to sequestrating the whole or a part of the customs income of one of our sister commonwealths for the purpose of compelling the payment of debts arising out of contracts, it is pretty clear that Mr. Roosevelt has made up his mind to be himself the sequestrator. Now that, apparently, it has been established, by the Venezuela precedent, that an American republic, if it default in the payment of its bonds, or of any other debt

arising out of contract, must be placed, like Egypt, in the hands of a receiver, it is, evidently, best for the debtor community and for the whole Western Hemisphere that the receiver shall be the United States. We could be trusted to collect and handle the revenues honestly, to discharge as promptly as possible the obligations of the debtor state, and, when our task was done, to restore the mortgaged custom-houses to their owners. We could be trusted; for, undoubtedly, Mr. Roosevelt speaks the truth when he denies that the United States feels any land-hunger, or entertains any project as regards the other nations of the Western Hemisphere, save such as are for their welfare. The promulgation of such a self-denying ordinance is in no wise inconsistent with the subsequent declaration that a failure to meet its obligations may entail interference from the United States with a Latin-American republic. The very determination to adhere in spirit and letter to the Monroe Doctrine may force the United States, however reluctantly, to exercise an international police power in such cases of wrong-doing, or of impotence—for "impotence" read "a failure to pay debts"—as, according to a recent precedent, would warrant an injured or creditor Power in the application of pressure by blockade and sequestration. It should be observed that Mr. Roosevelt is careful to say that we should interfere with neighboring commonwealths only in the last resort, and then only if it became evident that their inability or unwillingness to do justice at home and abroad had violated the rights of the United States, or had invited foreign aggression to the detriment of the entire body of American nations.

We have said that, indirectly, all foreign countries that see in us either purveyors of food staples and raw materials, or competitive producers of manufactures, are keenly concerned in learning whether, by changes in our rates of inland transportation, those commodities can be delivered on shipboard in our harbors more cheaply than they can now. In other words, a world-wide interest attaches to Mr. Roosevelt's proposal that Congress should clothe the Interstate Commerce Commission, not only with the power (which it possesses) to declare a given railway rate unreasonable, but also to say what, *prima facie,* should be the reasonable maximum rate for the transportation in question. As a matter of fact, bills embodying like proposals were introduced in both Houses of Congress during the last session,

but both were pigeon-holed. We should probably have heard no more of those or similar projects but for the peremptory way in which the President has brought them to the front. Nothing could be more unequivocal and resolute than his language on the subject. He tells the Federal legislators that, above all else, they must try to keep the highways of commerce open to all citizens on equal terms; to do which it is indispensable to abolish absolutely all rebates. Whether the shipper or the railroad is to blame makes, he says, no difference; the rebates must be stopped, and the abuses of the private freight-car, private terminal-track and private side-track systems must be abated. In other words, the Fifty-eighth Congress must enforce its own legislation, enacted at a previous session, which declares it to be unlawful for any person or corporation to offer, grant, give, solicit, accept or receive any rebates, concessions or discriminations in respect of the transportation of any property in interstate or foreign commerce, whereby such property shall, by any device whatever, be transported at a less rate than that named in the tariff published by the common carrier.

The objections to investing the power proposed by the President in the Interstate Commerce Commission are many and cogent, one of the strongest being the omission to safeguard railroads against loss in the event that the rate fixed by the Commission should, on appeal, be adjudged unreasonable by a court of review. If private corporations are to be deprived of the right to manage their own business, as, of course, they are when they are forbidden to name the price for which they will render services, it is evidently of vital moment to them that the greatest precautions should be taken to guarantee them against the calamitous consequences of incompetence or injustice on the part of the official framers of rates. This has become so clear to Mr. Roosevelt himself and to the leaders of the Republican majority in Congress that there seems to be a general inclination to agree upon a species of compromise. What this compromise may be is outlined in an interview by Secretary of the Navy Morton, who has been a railroad man all his life, and, as such, has been forced to ponder anxiously the problem of rates. Mr. Morton describes as "behind the times" those railroad men who deem an attempt to introduce government supervision of rates a mischievous and meddlesome impertinence. He points out that, not only are rail-

ways owned by the Government in several European countries, but even in many of our own States the rates are fixed by railroad commissions. It is pronounced ridiculous to assert that the Federal Government has not the power to do with interstate or foreign commerce what the States themselves may do with traffic transacted inside their borders. Besides, the die is already cast. Not only has the giving or receiving of rebates been made unlawful, but the Interstate Commerce Commission has been already clothed with the negative power to declare a particular rate unreasonable, and needs only to be invested with the positive power to substitute a rate which it regards as reasonable. Mr. Morton, however, though he would place the power of readjusting railway rates in the hands of the Interstate Commerce Commission, recognizes, as being himself a practical railroad man, that it would not be equitable to have the new rate decreed by the Commission go into effect immediately, and stand till a court of review should ultimately render a decision. Under such circumstances, a railroad would have no redress for a mistake committed by the Commission; it could never recover the lost earnings if a court of review were to hold that the original rate was reasonable. Secretary Morton, therefore, suggests an arrangement by which, if a given rate should be pronounced unreasonable by the Commission, the railroad should be permitted to go on charging the original rate on filing an indemnifying bond sufficient to cover the sums involved. If the final decision rendered by a court of review should go against the road, the defeated litigant would simply refund the difference between the old rate and the new. For the purpose of arriving promptly at a definite decision, Mr. Morton would create an Interstate Commerce Court of three judges, to sit at Washington, and, as a reviewing tribunal, hear all cases arising under the proposed law (the law giving the Commission power to substitute a rate for one declared unreasonable) without appeal to the Supreme Court of the United States, except when questions of constitutional interpretation should be raised. There is no doubt that this matter of delegating the fixing of railway rates to a commission or court has been made by Mr. Roosevelt the question of the hour in the United States, and that the solution of the problem will be watched with lively interest in all those European countries where the railways are not owned and operated by the Government.

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JAPANESE PROBLEMS.

BY COUNT OKUMA, FORMERLY PRIME MINISTER OF JAPAN.

FOREIGNERS too often fall into the error of believing that the civilization of Japan began with the opening of the country to the influences of Western ideas and institutions. In other words, they imagine that Japan is only some forty years old, and that the progress she has made during that time had no earlier foundations. Considered in this light, they imagine, not unnaturally, that the process has been far too rapid to be permanent. I think, however, that they are in the wrong, because the real Japanese civilization began some fifteen hundred years ago. Thus the opening of the country found the Japanese in a state of mind which had already been civilized into readiness for the Western ideas. Fifteen hundred years before, the entry into Japan of the elements of the civilizations of India and China had begun. Everything that Japan absorbed, from these civilizations, however, became essentially Japanese. Buddhism came from India to Japan and was influenced there by Shintoism, the Japanese religion, and it thus became a religion totally different in detail from the Indian religion. The Chinese literature, on being introduced into Japan, became tinged, as it were, with the personality of the Japanese people, that has made it typically Japanese and no longer Chinese. It was the same in the case of the fine arts, which were introduced

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into Japan from China and Korea. Thus the mind of Japan was developed and made ready to take advantage of the system and rule of the West. It was the lack of system in its civilization which constituted the real backwardness of Japan before the opening of the country. It is thus apparent that Japan is not such a young country in civilization as many suppose; and, that being the case, her rapid growth in recent years ought not to cause uneasiness and the impression of instability.

In the same way as other isolated nations have acted when brought into contact with the outside world, Japan resisted strenuously the idea of foreign intrusion. Her first endeavor was, naturally, to prevent the entry of foreigners into the country, but the Americans under Perry broke up this idea and made it impossible to prevent foreigners from treading the soil of Japan. Then the Japanese tried to fight the foreigners, and either kill them or drive them out. This stage was very similar to that represented in the present action of the Boxers in China. Several foreigners were killed or injured, and there was much disturbance throughout the country.

Finally, the Japanese people discovered that it was hopeless to try and expel the foreigner by force. They, therefore, gave up the attempt, and directed their efforts to preventing the destruction of their land and their civilization in another way. They, therefore, submitted to the inevitable, and began to seek out all that was best in the Western civilization that was thus thrust upon them, realizing clearly that only by competing with the foreigners on their own ground could the Japanese hope to cope with them.

The intensity with which the Japanese rushed into the new methods was the result of their ardent patriotism; a desire that their country should not be found incompetent to meet any situation—the same desire, love of country, that had prompted their other actions against the foreigners. They acted not from individual motives of hate, but as a common force against an evil that threatened their home and soil.

The army system of the foreigners was the first thing that they realized to be superior to their own, and soon the spears and swords gave place to rifles and guns. In navigation, also, great strides were made, and the Japanese sailors strove hard to make themselves able and competent as navigators. In the field of medicine, also, much interest was evinced in Western ideas; and

the Japanese, realizing the superiority of these ideas to their own, introduced much of the modern science of medicine at an early date. The old idea of the Japanese people had been that all things Japanese were good, and that all things of the outside world were inferior. It was owing to this idea that their patriotism compelled them to act as they had done in repelling any outside influence. As soon as they saw that there were good ideas and things which the West had to offer, the very same patriotism of the people demanded that the best should be introduced for the benefit of their country. At that time, there were two governing heads in the country, the Shogun and the Emperor. Besides these, there were numerous feudal chiefs, who had a great amount of authority in the land. After the arrival of the foreigners and the opening of the country, it was soon evident that, for the purposes of good government and for financial reasons, it was essential to consolidate the ruling powers. Then it was determined to bring forth into supreme power the real ruler, the Emperor, and the Shogunate and the feudal chiefs were overthrown. Since then, the administration has been substantial and excellent. All these changes, great as they were and formidable, were due to the patriotism of the people and their determination to do the best for their country. It became the ambition of Japan to compete with the best of the other nations, and this purpose may be regarded as meaning as much to Japan as does the star to the sailor steering his ship by night. This determination to excel all other nations was declared in one of the earliest rescripts of the Emperor.

This same rescript gave the right of religious liberty and made Christianity permissible; formerly, this religion had been prohibited and it was not tolerated anywhere in the land. Foreign educational systems were introduced, and education was made compulsory. Both boys and girls were included, and above the age of six all were forced to attend common schools, irrespective of class or rank; formerly, there had been little female education, and the education of boys had been confined to practically only a few classes. In the army organization, conscription was introduced, which also had the effect of causing all men to feel more on an equality; formerly, the profession of arms had been limited to the knights and the samurai, or wearers of the swords. Post, telegraph, telephone, railways, steamers and lighthouses,

etc., were all introduced into the country, and received with avidity. Financial unity brought a much better state of things into being; formerly, the various feudal chiefs had each coined money and circulated it, thus producing a monetary chaos. Under the single central system administration, however, only one kind of coin was issued, and the chaos ceased. Japan adopted all these methods and institutions from the outside world with the hope of progressing through them towards the guiding star of other nations.

It was found necessary to make new laws to meet the new conditions, and commercial and civil laws were examined and codified. National and local administrations were introduced on European models, and the necessary laws made. Many banks were established, some with Government subsidy, others by private enterprise. Railways were constructed and many other works instituted. The lack of trained Japanese to direct these new institutions necessitated the employment of foreigners for some little time. As soon as possible, many young men were sent to foreign countries to learn the various businesses and fit themselves to take the place of the foreign helpers. Sometimes as many as a thousand such students would be despatched in a year; on their return, they would gradually assume all the positions possible in the Japanese institutions. Thus, by this method, the country is now able to supply all the men necessary for the conduct of its own affairs. During the last twenty years, great changes have taken place, but the consummation has not yet been reached; and, since the root has been well planted, there is more than the expected promise of a great and luxuriant growth from it.

To pass to the present condition of Japan, although educational systems have been introduced, and Higher Education has received much attention, they have as yet not produced any great genius to prove their excellence. Every year, many students—from one hundred to five hundred—leave Japan in order to finish their studies abroad. It must be remembered, however, that the educational system has only had a comparatively short time in which to prove itself, and that it may yet be productive of great results. The rapid growth of the country necessitated much expenditure in the shape of railways, telegraphs, etc., and much money was consumed in this way. Although under the

feudal system Japan was not a poor country, it has labored under a considerable disadvantage with regard to its recent development. In America and in Russia, for example, much foreign capital has been used to develop the country; whereas in Japan, except for the small sum of £14,000,000, raised in London, nothing but Japanese capital has been used. This has necessarily made the development of the country and the subsequent necessary new enterprises fall rather heavily upon the Japanese people. Foreign capital is much needed in Japan, especially with a view to the development of the railways. It will be necessary to change the laws relating to foreign ownership of land before much capital can be attracted from outside. I have ever been an advocate of allowing foreigners to own land in Japan. Some years ago, when the excitement over this question ran high, my advocacy of this policy was the cause of a bomb being thrown into my carriage, which so shattered my leg as to lead to its amputation.

Free Trade has been very good for the country, and the industries have developed without any protective duties. Formerly the import duties averaged six per cent., and now they average eight per cent.; but these have been simply for Government revenue and are without any protective intention. It is good to see how Japan's trade has developed under a free-trade system. From ten millions, sterling, the annual trade returns have reached fifty millions, and, at the past rate of increase, in fifty years Japan may hope to have trade returns equal to Germany.

OKUMA.

PUBLICITY OF ELECTION EXPENDITURES.

BY PERRY BELMONT.

I.

THE total sum at the command of the Democratic National Committee in the Buchanan campaign was less than $25,000. The amount expended by the Republican National Committee during the Lincoln campaign of 1860 was a little over $100,000. The enormously increased campaign expenditures during several of the recent Presidential campaigns are to be estimated in millions.

Does the contrast imply a corresponding increase of votes bought? Does the change mean that corporations have been brought into politics by assaults on the currency and on vested rights? Does it mean that money protects money, or that the war-chest of protection is inexhaustible? Does it indicate that the destinies of the country are to be regulated by combined interests?

If a remedy is to be applied, should it be by new laws, or by party organizations reforming themselves? Should the new laws be federal? Should corporations, should trades-unions, be permitted to give money in elections? Ought the people to know how much money is devoted to the defeat of a candidate, or policy, or party? Will publicity promote or impede such efforts? Would it not, if required under effective penalties, increase the efficiency of existing laws?

II.

Only well-instructed public opinion can correctly answer such questions. Party leaders in intimate touch with the conduct of political campaigns appreciate the intolerable burdens and growing evils of present conditions. Those who have contributed to campaign funds, and who have been closely identified with the

more important corporate and political activities, are among the most earnest advocates of measures tending to restrain such contributions, especially on the part of corporations. Those who represent interests of stockholders, or who are themselves stockholders, in corporations have perhaps most keenly recognized the menace of such increasing exactions. It is true that nothing need be added to the present legal rights of the stockholder, a single stockholder having already a complete right of action in case of expenditure of any portion of corporate funds for political purposes. Owing in part to the present difficulties of obtaining necessary information, individual stockholders have rarely been disposed to vindicate their rights. The enforcement of publicity by Federal and State laws will assist in bringing stockholders' suits.

Those who best know the danger lead in pointing out the practical avenues of escape. Unlike almost all other reform movements, this one has its origin among politicians. It starts in the very centre of politics. Usually, the reformer encounters objections arising out of the experience of those charged with party responsibilities.

Jackson, Democrat of Democrats, in his contest with the Bank of the United States, first recognized as an issue the threatened domination of national politics by corporate influences, and conquered, in what Professor Sumner in his Life of Jackson calls "one of the greatest struggles between democracy and the money power." The elements of that historic controversy seem now to be gathering for renewed conflict, but it is idle to attempt to identify the present movement, essentially non-partisan in its nature and national in its extent, with either of the great political parties.

Close upon the heels of the Presidential campaign of 1892, in which, it is known, millions were expended on both sides, Mr. Root, speaking in the New York Constitutional Convention of 1894, in reference to the proposed incorporation into the State Constitution of an amendment relative to Corrupt Practices, said (Revised Record, Vol. III, page 877):

"The object of this provision is to . . . require the Legislature to say what money may be used to procure the election of a candidate. Until that is done, there is absolutely no limit to the corruption, no limit to the purchase of votes, no limit to the improper influence of votes, or of parties, or of party men. . . .

"That is a very small step in the direction of the Corrupt Practices Act in force in England, which has worked such admirable results. . . . If you enumerate the ways in which money may be used, . . . and then confine candidates for office, party committees, party agents, the agents of candidates, to those uses, and, as a penalty for any knowing departure from those limitations, forfeit the office, you will have a very different state of affairs in respect to what . . . has become one of the great and crying evils of our politics. . . . The use of money has come to such a pass at the hands of both of the great political parties in this country that we find enormous contributions necessary to maintain party machinery, to conduct party warfare, and the effect is that great moneyed interests, corporate and personal, are exerting yearly more and more undue influence in political affairs, . . . and political parties are every year contracting greater debts to the men who can furnish the money to perform the necessary functions of party warfare."

The amendment reported from the Judiciary Committee was as follows:

"Article 2 is hereby amended by adding the following sections:

"Sec. 6. The Legislature shall, by general laws, declare the uses which may be lawfully made of money or other valuable things by, or on behalf of, any person, to promote his nomination as a candidate for public office, and by or on behalf of a candidate to promote his election.

"The use or promise of money or other valuable thing to promote the nomination for, or election to, public office of any person otherwise than is expressly authorized by law, is prohibited, and the person by whom or for whose benefit, with his consent, connivance or procurement, the same is so used or promised, if elected, shall forfeit his office.

"Sec. 7. No corporation shall directly or indirectly use any of its money or property for, or in aid of, any political party or organization, or for, or in aid of, any candidate for political office or for nomination for such office, or in any manner use any of its money or property for any political purpose whatever, or for the reimbursement or indemnification of any person for moneys or property so used."

The third reading of the amendment was ordered by a vote of 72 to 21, but it did not pass, mainly because, power being already lodged in the Legislature, it was unnecessary to incorporate in the Constitution of the State what was practically a statute.

Mr. Root, referring to the proposed restriction of corporate contributions, said:

"I think some qualification would have to be inserted, otherwise the general language would apply to such corporations as those which publish newspapers. . . . The idea is to prevent . . . the great railroad com-

panies, the great insurance companies, the great telephone companies, the great aggregations of wealth, from using their corporate funds, directly or indirectly, to send members of the Legislature to these halls in order to vote for their protection and the advancement of their interests as against those of the public. It strikes at a constantly growing evil which has done more to shake the confidence of the plain people of small means of this country in our political institutions than any other practice which has ever obtained since the foundation of our government. And I believe that the time has come when something ought to be done to put a check to the giving of $50,000 or $100,000 by a great corporation toward political purposes, upon the understanding that a debt is created from a political party to it. . . . I apprehend that many corporations, which are now called upon before every election to contribute large sums of money to campaign funds, would find in an absolute prohibition, with the penalty of the forfeiture of their charters, a reason why they should not make such contributions. I think it will be a protection to corporations and to candidates against demands upon them, and a protection to the people against the payment of consideration for contributions by them, to the injury of the representation of the people. It is, I repeat, because of the difficulty of proving and punishing the crime of buying votes that some other measures seem to be desirable" (p. 897).

President Jackson, in a communication to his cabinet in 1833 condemning the use of the funds of the Bank in its attempt to secure a renewal of its charter, said:

"Having taken these preliminary steps to obtain control over public opinion, the Bank came into Congress and asked a new charter. The object avowed by many of the advocates of the Bank was to *put the President to the test*, that the country might know his final determination relative to the Bank prior to the ensuing election. Many documents and articles were printed and circulated at the expense of the Bank to bring the people to a favorable decision upon its pretensions. Those whom the Bank appears to have made its debtors for the special occasion were warned of the ruin which awaited them should the President be sustained, and attempts were made to alarm the whole people by painting the depression in the price of property and produce and the general loss, inconvenience and distress which it was represented would immediately follow the reelection of the President in opposition to the Bank."—"Messages and Papers of the Presidents," Vol. III, p. 6.

The president of the Bank was, by resolution of its directors, "authorized to cause to be prepared and circulated such documents and papers as may communicate to the people information in regard to the nature and operations of the bank." The expenditures purporting to have been made under the authority

of such resolution were about $80,000, including the purchase of some 100,000 copies of newspapers, reports and speeches made in Congress. The government directors of the Bank having called for a specific account of these expenditures, the board renewed the power already conferred and, by resolution, authorized its president "to continue his exertions for the promotion of said object." Referring to this propaganda, Jackson said in the message above quoted:

"The Bank is thus converted into a vast electioneering engine. . . .

"And the money which belongs to the stockholders and to the public has been freely applied in efforts to degrade in public estimation those who were supposed to be instrumental in resisting the wishes of this grasping and dangerous institution.

"The refusal to render an account of the manner in which a part of the money expended has been applied gives just cause for the suspicion that it has been used for purposes which it is not deemed prudent to expose to the eyes of an intelligent and virtuous people. Those who act justly do not shun the light, nor do they refuse explanations when the propriety of their conduct is brought into question."

In his fifth annual message, Jackson said:

"The question is distinctly presented, whether the people of the United States are to govern through representatives chosen by their unbiassed suffrages, or whether the money and power of a great corporation are to be secretly exerted to influence their judgment and control their decisions. It must now be determined whether the Bank shall have its candidates for all offices in the country, from the highest to the lowest, or whether candidates on both sides of political questions shall be brought forward as heretofore and supported by the usual means."

Again the relation of the money of corporations to party organizations and the ballot has become an issue, but we now approach it in a more tolerant spirit than that animating the contentions of an earlier period. In the recent Presidential campaign, it awakened a recognition by both the leading candidates of its extent and of its consequent dangers. The necessity for remedial legislation has since found expression in the following recommendations of the President's message:

"The power of the Government to protect the integrity of the elections of its own officials is inherent, and has been recognized and affirmed by repeated declarations of the Supreme Court. There is no enemy of free government more dangerous and none so insidious as the corruption of the electorate. No one defends or excuses corruption, and it would seem to fol-

low that none would oppose vigorous measures to eradicate it. I recommend the enactment of a law directed against bribery and corruption in Federal elections. The details of such a law may be safely left to the wise discretion of the Congress, but it should go as far as under the Constitution it is possible to go, and should include severe penalties against him who gives or receives a bribe intended to influence his act or opinion as an elector; and provision for the publication, not only of the expenditures for nominations and elections of all candidates, *but also of all contributions received and expenditures made by political committees.*"

III.

Therefore, upon the highest and best authority, it is evident that something should be done. Facts are more persuasive in an appeal to public opinion than the most powerful argument, especially upon a subject about which almost every one has views, more or less well founded.

American patriotism is a living reality, and finds expression during national Presidential elections. However great the prosperity of the United States, sentiment and ideals are in the end the most controlling forces. There is on that account a good deal of sensitiveness in regard to our electoral practices rather than to our electoral system, but the resulting criticism is a healthy one and does not mean, to those who understand it, that politics in America are more corrupt or less inspiring than in other countries; but it does mean that the American people insist that their politics shall be less corrupt and more inspiring. Conditions here prevailing demand that we seek in our own historical experience guidance to determine the way to further effectual progress. The principle at the foundation of American political institutions is essentially that of individualism and self-direction.

IV.

To guide us in the solution of the problem, there are abundant legislative precedents. Fifteen States have, since 1890, adopted so-called "Corrupt Practices Acts" to restrain and limit rapidly increasing campaign contributions and expenditures.

The first of these laws was enacted in New York in 1890. It defined such practices in some detail, but was very ineffective, requiring merely reports of the expenditures of candidates, there being no regulation or limitation concerning expenditures by political committees.

The Corrupt Practices laws passed in the following year by Colorado (Laws 1891, p. 167) and Michigan (Laws 1891, Chap. 190) followed very closely the New York Act in its definition of corrupt practices, adding a requirement that *party committees must also report all receipts and expenditures for campaign purposes.*

In 1892, Michigan enacted a much more elaborate statute, making provision not only that campaign committees should *report their receipts and expenditures,* and regulating the details of the accounts of such committees, but that *all expenditures on behalf of candidates,* with few exceptions, must be *made through the party committees.* Proper provisions were also made for the enforcement of the act.

This law went further in the direction of the English Corrupt Practices Act of 1883 than any of the other statutes above mentioned. Owing to conditions incident to our political system, and particularly in view of the number of candidates voted for at the same time and upon the same ticket, it is impossible to follow closely the English law.

The Massachusetts law, which went into effect on August 1st, 1892, is entitled, "An act to prevent corrupt practices at elections, and to provide *for publicity in election expenses.*"

It permitted a candidate to spend, without restriction except as to certain personal expenses, any sum of money to secure his nomination or election, provided that the expenditures be effected through a political committee.

The Massachusetts law defines political committees as including "every committee or combination of three or more persons who shall aid or promote the success or defeat of a political party or principle in a public election, or shall aid or take part in the nomination, election or defeat of a candidate for public office." It further provides that every individual who, "otherwise than under the authority and in behalf of a political committee, receives or disburses money for any of the above-named purposes, shall be subject to the requirements of the act, the same as a political committee or its treasurer." Every such committee is required to have a treasurer, who must, within thirty days after an election, if the total receipts or expenditures of the committee exceed twenty dollars, file a sworn statement, "*setting forth all the receipts, expenditures, disbursements and liabilities of the*

committee and of every officer or other person acting under its authority and in its behalf." The vouchers must state the particulars of expense in respect to every payment over five dollars. Expenditures for certain objects, specified in the Act, such as stationery, postage, telegrams and other similar expenses personally incurred by a candidate need not be included in his statement.

The effect of this law is to secure almost complete *publicity and public record in respect to expenditures for the nomination and election of candidates.* Political committees are forbidden to solicit contribution from candidates, who, however, may "make a voluntary payment of money . . . for the promotion of the principles of the party which the committee represents, and for the general purposes of the committee." This provision is directed against the practice of political assessments.

A violation of the provisions of the law is punishable by a fine not exceeding $1,000, and in certain cases with the alternative of imprisonment for not more than one year. Any person, upon the petition of any candidate voted for, or of any five qualified voters, may be compelled to file a correct and proper statement by the courts.

In the year following the passage of the Massachusetts law, the Legislatures of California (Laws 1893, Chap. II) and Missouri (Laws 1893, p. 157) passed corrupt practices laws, which went a step in advance of the Massachusetts statute. In California, the expenditures by or for a candidate were limited; and by the Missouri law a maximum was placed upon the total expenditure of a candidate directly or through committees. The California law was prepared with special care, and is more detailed in its provisions than that of perhaps any other State. In both Missouri and California, and in Kansas, reports of both candidates and committees are required.

The Kansas statute (Laws 1893, Chap. 777, repealed 1903) was very similar to that of Missouri, with the exception that there was no restriction upon the maximum amount of expenditure permitted. The extension of this class of legislation from 1892 to 1895 was very rapid. In the latter year, six States, in addition to the seven already mentioned, adopted legislation requiring publicity in respect to campaign expenses. The Arizona law (Laws 1895, Chap. 20) and that of North Carolina (Laws 1895, Chap.

157) were not so advanced in their provisions as the Missouri law, resembling rather the comparatively ineffective New York law. The Arizona statute, however, contains a provision similar to that of Colorado, requiring that party committees as well as candidates shall report campaign receipts and expenses.

A law passed in Kentucky (Chap. 338) retained the general features of the Massachusetts law, but omitted much of the detail to be found in the latter act.

Nevada (Laws 1895, Chap. 103) copied the California law, with slight changes in respect to the maximum of expenditures permitted, which was somewhat lower. This statute, however, has been since repealed (Laws 1899, Chap. 103).

The Michigan statute, which has been referred to as comparatively deficient and ineffective, was repealed in 1901 (Chap. 61).

The Montana law passed in 1895 (Penal Code 1895, Sec. 80 ff) follows the Massachusetts law, but imposes limitations upon the personal expenses and upon the contributions of candidates.

The Minnesota law of that year (Laws 1895, Chap. 277), which in substance follows the Missouri statute, was in one respect the most complete that had been adopted at that time. The following very detailed definition of legitimate expenses following the practice of the English act was made:

"1. For the personal travelling expenses of the candidate.

"2. For the rent of hall or rooms for the delivery of speeches relative to principles or candidates in any pending election, and for the renting of chairs and other furniture properly necessary to fit such halls or rooms for use for such purposes.

"3. For the payment of public speakers and musicians at public meetings, and their necessary travelling expenses.

"4. Printing and distribution of lists of candidates or sample tickets, speeches or addresses, by pamphlets, newspapers or circulars relative to candidates or political issues, cards, handbills, posters or announcements.

"5. For challengers at the polls at elections.

"6. For copying and classification of polling lists.

"7. For making canvasses of voters.

"8. For postage, telegraph, telephone or other public messenger service.

"9. For clerk hire at the headquarters or office of such committee.

"10. For conveying infirm or disabled voters to and from the polls."

In 1896, Utah and Ohio were added to the rapidly growing list of States that had adopted more or less satisfactory corrupt

practices acts. The Utah act (Laws 1896, Chap. 56) merely required that candidates and committees report their election expenditures.

The Ohio law (Laws of 1896, p. 123) was known as the Garfield Corrupt Practices Act. It provided that the candidate's expenditures should be limited to $100 for five thousand voters or less, but should not exceed $650 in any case. Its provisions were also applicable to candidates before conventions or primaries, as well as before elections. Political committees were defined, and were required to have a treasurer, who, as well as every person receiving or disbursing money aggregating more than $20, was required to keep detailed accounts, a statement of which, including receipts and expenditures, must be filed with the county clerk. The office of a successful candidate found guilty of violation of the act could be declared vacant at any time during the incumbency of the offending person. The chief defect in this law was that it contained no definition of legitimate or illegitimate expenses. It was especially elaborate, containing several novel features, and its repeal in 1902 (Laws of Ohio, p. 77) may be regarded as the most important of the few reverses which the movement for the general adoption of corrupt practices acts has yet suffered. The only State to pass such a law in 1897 was Wisconsin (Laws of 1897, Chap. 358). This act defined offences against the suffrage, required reports of expenditures by candidates and committees, and restricted the purposes of such expenditures.

A very important innovation, which was adopted in each of the States of Tennessee, Florida and Nebraska in 1897, independently of other provisions relating to corrupt practices, was the absolute prohibition of contributions by corporations to parties or candidates.

In 1897 (Laws of 1897, Chap. 185), the provision of the North Carolina Corrupt Practices Act for reporting expenses was repealed.

In 1898, no new measures concerning elections, of substantial importance, were passed; legislation in that respect being limited to minor details or the codification of existing measures.

In 1899, Nebraska perfected its law of 1897 and was added to the list of States adopting corrupt practices acts (Laws of 1899, Chap. 29), but Nevada repealed its law in that year.

In 1903, corrupt practices laws were passed in Vermont and Virginia. The latter statute (Sec. 145a, Code, 1904) prohibits the expenditure of money in any election, primary or nominating convention, for purposes other than of printing or advertising in newspapers, or in securing suitable halls for public speaking. It requires every person who shall be a candidate before any caucus or convention, or at any primary or other election, to file a statement in writing, "setting forth in detail all sums of money contributed, disbursed, expended or promised by him, and to the best of his knowledge and belief by any person or persons in his behalf . . . showing the dates when and the persons to whom, and the purposes for which, all such sums were paid, expended or promised."

It is further provided that, in case of a violation of the law, the election of the offending candidate shall be void, unless, contest being made, it appears that the contestant is entitled to the office. No person shall enter upon the duties of any elective office until the required statement shall have been filed.

The passage of laws insuring publicity in connection with expenditures in elections was strongly recommended in the last annual message of the Governor of West Virginia.

It appears, therefore, that at least fifteen States have adopted corrupt practices acts, and that in several States contributions by corporations to political campaign funds are prohibited. The first corrupt practices act requiring publicity of candidates' expenditures was passed in 1890, and in 1897 corporations were for the first time prohibited from making campaign contributions; so the development of the law on this subject must be considered exceptionally rapid and satisfactory. It seems probable that in their operations such laws, by curtailing the amounts expended in campaigns, have proved obnoxious to a certain type of professional politicians. In the few cases where they have been repealed, interests adversely affected by them were enabled to take advantage of temporary and purely local conditions, in overruling a comparatively unorganized public sentiment.

At the time of the repeal of the Ohio (Garfield) law, Mr. James R. Garfield, its author, said he had hoped the Legislature would amend rather than repeal it. A few of its provisions were unnecessary and could easily have been cut out of the bill. An amendment favored by Mr. Garfield had been prepared, but it

was defeated. Even township officers elected without the expenditure of money were compelled to make statements; these and other slight defects in the law encouraged a determined effort on the part of certain politicians to discredit its operations. In Springfield, the Mayor was ousted from office on account of the operation of its provisions, and a Probate Judge lost his office. Mr. Garfield believed that "it put a check upon the wholesale spending of money in campaigns." It was an excellent law and should have been continued in an amended form. It was plainly constitutional and had been thoroughly tested in every point by the Supreme Court of the State.

The inception, the development, the retarding the progress and effect of these laws resemble closely the circumstances and the beneficial results attending the ultimate triumph of the Civil Service laws.

The English Corrupt and Illegal Practice Prevention Act (46 and 47 Victoria, ch. 51) has influenced the course of legislation in this country, embodying in substance, first, a strict limitation on the amount which can be expended in furtherance of the election of a Member of Parliament; second, the manner in which such funds may be expended; and, third, publicity as to the sources and disbursements of the funds so employed.

A candidate may act as his own election agent, but the almost universal practice is to appoint some one, usually a solicitor, and often a non-resident of the borough for which the candidate is standing, to assume entire charge of the expenditures.

Upon the election agent is reposed the responsibility of the appointment of every polling agent, clerk and messenger employed on behalf of the candidate at an election, and the hiring of every committee-room used in the campaign.

The Act further provides:

"28.—Except as permitted by or in pursuance of this act, no payment . . . shall be made by a candidate at an election or by any agent on behalf of the candidate *or by any other person at any time, whether before, during or after such election*, in respect of any expenses incurred on account of or in respect of the conduct or management of such election otherwise than by or through the election agent . . . and all money provided by any person other than the candidate for any expenses incurred on account of or in respect of the conduct or management of the election, whether in gift, loan, advance or deposit, shall be paid to the candidate or his election agent and not otherwise."

Every payment made by an election agent, or a sub-agent, must, except where less than forty shillings, be vouched for by a bill stating the particulars and by a receipt.

Another instance of the drastic nature of the Act is the prohibition against treating, or the giving of any entertainment to voters, during the period of the canvass, it being provided, Chap. 41, Sec. 1:

"(1) *Any person* who corruptly

By himself By any other person	either before, during or after an election	directly, indirectly,	gives, provides, pays wholly or in part the expense of giving or providing	meat, drink, entertainment, provision	to or for any person,

for the purpose of influencing any vote, or

"On account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at such election shall be guilty of treating,"

which, as above defined, is made a corrupt practice within the meaning of the act.

Contributions for charitable purposes subsequent to the public announcement of the candidate's intention to stand for a borough, is also discouraged by the operation of the act.

The act limits the personal expenses of candidates to 100 pounds, of which a statement must be made to the agent. It prohibits any payment for the hiring of horses, carriages or for railway fares, or to an elector for the use of any house, land, building or premises for the exhibition of any address, bill or notice, or on account of committee-rooms in excess of a stipulated number.

The act limits the number of persons who may be legally employed by a candidate as deputy election agents, polling clerks, messengers, clerks, etc., in proportion to the number of electors in the borough or county for which the candidate stands.

Expenses in respect to miscellaneous matters other than those enumerated in a schedule forming part of the act, may not exceed in the whole the maximum sum of £200. The maximum expenditure in a borough, for all purposes other than personal ex-

penses and sums paid to the returning officer for his charges, is limited in proportion to the number of electors on the register. The maximum of expenditure is £330, in case the number of electors on the register exceeds 2,000, and for every complete 1,000 electors above 2,000 an additional £30. In a county, the maximum expenses, if the number of electors on the register does not exceed 2,000, is £650 in England and Scotland, and £500 in Ireland; if the number of electors exceeds 2,000, the maximum is £710 in England and Scotland, and £540 in Ireland, and an additional £60 in England and Scotland, and £40 in Ireland, for every complete 1,000 electors above 2,000.

Clause F of Sec. 33 provides that a statement must be made of all subscriptions received by the election agent for any purpose, on account of the conduct or management of the election, with a statement of the name of every person from whom the same has been received.

This clause insures the fullest publicity in respect to any contributions made to a Parliamentary campaign fund.

V.

The legislation of so many States, thus reviewed, has heretofore possessed local rather than national significance, and has followed a recognition of evils peculiar to those States. Conditions prevailing in Presidential campaigns have now made the problem national.

The Constitution provides that each State shall appoint Presidential electors in such manner as its Legislature shall direct. While, therefore, in theory it may be contended that the choice of Presidential electors is a State function, elections at which they are chosen are held at the same time as the Congressional elections, have become Federal in character and, as such, the subject of Federal regulation. The express powers of Congress to effect such regulations are derived from the fourth section of the first article of the Constitution:

"The times, places, and manner of holding all elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations except as to the place of choosing Senators."

While the authority of the State and national governments is concurrent, that of the latter is paramount. Congress can adopt

any means, qualification or regulation which the States have enacted, including provisions designed to insure the publicity and limitation of expenditures in connection with Congressional elections.

It cannot be doubted that Congress may assume the entire control of the election of representatives and this power, as declared by the Supreme Court, "necessarily involves the appointment . . . of the officers for holding the election . . . and every other matter relating to this subject" (100 U. S. 396); and, as declared by Mr. Justice Miller, "Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation, *and the election itself from corruption*" (110 U. S., 661).

It is, moreover, equally clear that Congress has complete and paramount jurisdiction over the choice of Presidential electors, provided that Congressional representatives are also chosen at the same election.

Referring to the power of Congress to regulate the election of its members, the Supreme Court said:

> "If this be so, and it is not doubted, are such powers annulled because an election for State officers is held at the same time and place? Is it any less important that the election of members of Congress should be the free choice of all the electors because State officers are to be elected at the same time?"—110 U. S., 661.

It has been held by the Supreme Court (127 U. S., 731) that it is not necessary to prove that an act, relating to the conduct of an election at which a Congressman is chosen, was committed with "the specific intent or design to influence the Congressional election." The Supreme Court further held that "the object to be attained by these acts of Congress is to guard against the *danger,* and the *opportunity,*" of committing objectionable acts "as well as against direct and intentional frauds upon the vote for members of that body," and that the power of Congress can be invoked whenever such election is "*exposed* or *subjected* . . . to the *opportunity* . . . or to the *danger*" of such acts "as may affect that election, *whether they actually do so or not.*"

It would not therefore be possible to evade the operation of a Federal statute prohibiting the secret contribution or expenditure of money in connection with any election at which a Congressman may be chosen, on the pretence that there was an absence of

intent to influence the Congressional election, or that the contributions or expenditures were directed solely to secure the election of Presidential electors or State officers.

It is sufficient that the prohibited act should create a "danger" or "opportunity" of improperly influencing the election. As declared by the Supreme Court in the case last quoted:

"There are many instances when an act may be criminal in its character without there being a criminal intent. . . .

"The case before us is eminently one of this character. Crimes against the ballot have become so numerous and so serious that the attention of all legislative bodies has been turned with anxious solicitude to the means of preventing them, and to the object of securing purity in elections and accuracy in the returns by which their result is ascertained. The acts of Congress and of the State of Indiana now under consideration are of this class, . . . and to say that the . . . want of an intention on the part of persons who are alleged to have acted feloniously in the violation of those laws, excuses them because they did not intend to violate their provisions *as to all the persons voted for at such an election*, although they might have intended to affect the result as regards some of them, is manifestly contrary to common sense and is not supported by any sound authority,"—127 U. S., 755.

An indictment under the Federal statutes for illegal voting and for bribery has been upheld, although it was not charged that the ballot cast contained the name of a person voted for for representative in Congress, *nor that the bribe was given with the intent to influence the voter in respect to the Congressional election:*

"When Congressional and local elections are held at the same time and places, and mixed ballots are cast, as is the practice in Indiana, it is a misleading refinement, I think, to say that there are two elections —a national and a State—held at the same time. It is one election, for the conduct of which the two sovereignties have a common concern, though interested in several results (*Ex parte* Siebold, 100 U. S., 371); and Congress having unquestionably the paramount, and, when it sees fit to assert it, the exclusive, power to regulate such elections, must, in the first instance at least, determine for itself what regulations are necessary or expedient; and it is not the province of the courts to restrict or annul any enactment on the subject, on the ground that it is not within the powers of Congress, unless it be demonstrable that *in no event, and under no circumstances*, the offence defined, and coming within the letter and spirit of the enactment, could affect the election for representatives in Congress. . . . It is manifest that regulations and restrictions which permitted inquiry, whether the offender in such re-

spects intended to intimidate or influence the conduct of voters in respect to one office or another, would be inefficient, because easily evaded. Once concede that the indictment for bribery of a voter, in order to be good under the Federal statute, must charge an attempt to affect the Congressional election, and the speedy result will be, not less bribery in respect to that election, but more likely a large increase, contrived and conducted in such way as to prevent proof of the real purpose, by pretences of different purposes."—(29 Fed. Rep., 898-9.)

The purport of legislation requiring publicity in respect to campaign expenditures is to secure the freedom of elections from improper influences. To this end, the indirect restraints of the Corrupt Practices Acts are more effectual than the direct prohibitions and penalties of statutes, Federal or State, penalizing bribery.

The adequacy of existing laws to punish one proved guilty of bribery may be admitted as a general proposition. That specific legislation of this nature has not proved effective to protect the free exercise of the franchise from the undue influence of campaign expenditures must also be admitted. It is a crime which is not readily susceptible of direct proof. The remedy sought in the statutes already cited and in the suggested Federal legislation is rather one of prevention by indirection. It is the limitation and regulation of the possible sources and agencies of corruption which is of primary practical importance. The chief inducement to bribery must be removed by throwing safeguards about the present irresponsible use of campaign funds. The chief remedy proposed by such legislation is publicity, not purely police or penal regulation of the grosser forms of bribery.

It can not be successfully contended that Congress has not constitutional power to insure, by enforcing publicity, an end which in the exercise of its undoubted authority it has sought to reach by more direct but less effective legislation.

The Supreme Court has declared:

"If this government is anything more than a mere aggregation of delegated agents of other States and governments, each of which is superior to the general government, it must have the power to protect the elections on which its existence depends from violence and corruption. . . .

"If this be so, and it is not doubted, are such powers annulled because an election for State officers is held at the same time and place? Is it any less important that the election of members of Congress should

be the free choice of all the electors, because State officers are to be elected at the same time?

"In a republican government, like ours, where political power is reposed in representatives of the entire body of the people, chosen at short intervals by popular elections, the temptations to control these elections by violence and by corruption are a constant source of danger.

"If the government of the United States has within its constitutional domain no authority to provide against these evils, if the very sources of power may be poisoned by corruption or controlled by violence and outrage, without legal restraint, then, indeed, is the country in danger, and its best powers, its highest purposes, the hopes which it inspires, and the love which enshrines it, are at the mercy of the combinations of those who respect no right but brute force, on the one hand, and unprincipled corruptionists, on the other." (110 U. S., p. 661.)

Upon all existing precedent and authority, a Federal statute forbidding the secret expenditure of money to influence an election at which a Congressman is to be chosen, would be valid and effectual to compel publicity in respect to all expenditures tending to influence the election of *any* candidate at such election. This would include Presidential electors. A large number of the States having already required publicity of expenditures by political State committees, Congress may, on such initiative, require of political committees engaged in promoting the election of Presidential and Congressional candidates a similar publicity, such elections being held at the same time.

VI.

Concurrent enactments could be adopted in the several States, in accordance with the encouraging tendency of the legislation of the fifteen States already enumerated.

It is especially incumbent upon the State of New York, having, in 1890, taken the initiative in this form of legislation, to at once supplement its deficient and ineffective law. New York, an important centre of political activity in national campaigns, should place itself in line with the most advanced legislation of other States. Owing to the failure of the New York statute to require any statement from political or campaign committees, it is possible to avoid publicity in respect to expenditures for any amount or for any purposes. If an irresponsible committee and not the candidate can be made the medium of disbursements, evasion of the existing law is invited. Should publicity be required of com-

mittees, under penalty of forfeiture of office and other effective punishments, such as are provided in several States, the New York law would be rendered operative.

VII.

Should publicity of expenditures by political committees have the effect of reducing campaign contributions, political machinery and party efficiency would not be harmed. The reduction would cut off the camp followers, whose slight party affiliations serve no other purpose than to give occasion for utterly useless and extravagant expenditures. A political organization cannot be too perfect to be effective, but managers of national, State and local committees have often experienced the injury caused by the employment of unnecessary campaign funds, absorbing and diverting from their normal and more effective functions the vital energies of political leadership.

Party organizations are essential to party government; their importance and usefulness in our political system should be fully recognized. They can not be maintained without the expenditure needed in legitimate and honest politics, but no popular organization, commanding a sufficient amount of interest among its followers, will suffer permanent disability because of limitations and restraints upon contributions and expenditures. The great denominational religious organizations of this country are supported in great part by small contributions. When political organizations are sustained by the large subscriptions of the few, their activities become paralyzed by the development of a spirit of dependence on the few.

Voters should be informed by unrestricted and general diffusion of facts and arguments pertinent to the issues before the country. The great mass of voters reach their conclusions with little assistance from the instrumentalities toward which campaign expenses are too often directed. Newspapers and periodicals are a more effective educational force than tons of pamphlets usually distributed during elections.

Voters depend upon the great parties to frame issues to command their support, and to nominate properly qualified candidates. If a party organization does not prove equal to this task, it is a matter of small moment that it succeeds in raising large sums, or in perfecting a machine that absorbs and distracts the major

portion of the political activity at the command of the party.

Contributions by corporations should be restricted. The freedom of individuals to contribute according to their means and inclinations to party organizations need not be interfered with by legislation. There is, however, no inherent individual right to secrecy in respect to activities influencing the great court of public opinion, which, as the result of each national election, passes upon the rights and property of all. The turning on of the light cannot be deemed an unconstitutional increase of Federal or State control.

PERRY BELMONT.

THE SPANISH TREATY CLAIMS.

BY CRAMMOND KENNEDY.

By article VII of the Treaty of Peace with Spain it was provided that:

"The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either Government, or of its citizens or subjects, against the other Government, that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the War.

"The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article."

These individual claims of citizens of the United States "of every kind," which were thus relinquished as against Spain, and the adjudication and settlement of which were assumed by our Government, were described by the Secretary of State, Mr. Day, in his note of July 30th, 1898, to the Duke of Almodovar, Prime Minister of Spain, as "*the claims of our citizens for injuries to their persons and property during the late insurrection in Cuba.*" In defining the conditions of peace, Mr. Day said that, to these individual claims, as well as to the losses and expenses of the United States incident to the war, the President could not be insensible, and that he must, *therefore,* require the cession to the United States, and the immediate evacuation by Spain, of the island of Porto Rico and other islands then under the sovereignty of Spain in the West Indies, and also the cession of an island in the Ladrones to be selected by the United States. He added:

"On *similar grounds* the United States is entitled to occupy and will hold the city, bay and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition and government of the Philippines."[1]

[1] Treaty Papers, Doc. No. 62, Part 1, Sen., 55th Cong., 3rd Sess., p. 274.

By this the Duke of Almodovar understood, as he said in his reply of August 7th, 1898, to Mr. Day, that "the question at stake is no longer only the one which relates to the territory of Cuba, but also that *the losses of American lives and fortunes incident to the war should in some manner be compensated.*"

"They accept the proffered terms," said the Duke, speaking for the Spanish Government, "subject to the approval of the Cortes of the Kingdom, as required by their constitutional duties."[1]

The claims in question, as filed with the Commission, within the statutory limits, since its organization in April, 1901, amount in round figures to sixty million dollars. They include damages for personal injuries, such as illegal imprisonment, cruel treatment, and expulsion from the island, but are mainly for the destruction by fire of the cane-fields, dwellings, docks, tramways, buildings and machinery used in the manufacture of sugar, for the enforced stoppage of grinding, and for the loss of cattle during the promiscuous devastation practised by both parties, and the "reconcentration" enforced by General Weyler. Some of the claims have been stated with moderation; but it is safe to say that the actual and direct damages will not aggregate more than one-half of the amount claimed.

In all the negotiations at Paris which followed the Protocol of August 12th, 1898, these individual claims were invariably described in general terms, with never a suggestion that there was any difference, or that any distinction should ever be made, between the injuries inflicted on our citizens by the Cuban insurgents and those inflicted directly by the authorities or forces of Spain. In article IV of the treaty, as proposed by the Spanish Peace Commissioners, pending the negotiations at Paris, the stipulated cession of territory was declared to be made by Spain "as compensation for the losses and expenses occasioned the United States by the war, and *for the claims of its citizens by reason of the injuries and damages they may have suffered in their persons and property during the last insurrection in Cuba.*" The purpose of this declaration, as expressed in the protocol, was "to leave on record *the reason of the cession.*"[2]

[1] Treaty Papers, Doc. No. 62, Part 1, Sen., 55th Cong., 3d Sess., pp. 275, 276.

[2] Treaty Papers, Doc. No. 62, Part 1, Sen., 55th Cong., 3d Sess., pp. 58, 92.

"It is quite certain," said the Spanish Commissioners, after citing Mr. Day's note of July 30th, 1898, to the Duke of Almodovar, "that the American Commission will agree with the Spanish Commission in the advisability of preventing the United States from being shown in the treaty as acquiring gratuitously the said islands."[1] To this, the President of the American Commission replied that "the American Commissioners did not mean to be understood that it should not appear in some proper form in the treaty that the cession of Porto Rico and the other islands above referred to *was* on account of *indemnity for the losses and injuries of American citizens"*; and that "this view had been expressed in the note addressed to the Spanish Government containing the demand of the President of the United States, and the American Commissioners recognized the force and meaning of that demand."[2]

Those individual injuries and losses, for which the United States in this manner obtained compensation from Spain, were incidental to the conditions which had prevailed in Cuba, and for the existence of which the United States had held that Spain was responsible, and for the termination of which, when they could no longer be endured, the United States had made war against Spain and expelled her from the island. "The fire of the insurrection," said the President in his special message of April 11th, 1898, to Congress, "may flame or may smolder with varying seasons; but it has not been, and it is plain that it cannot be, extinguished by present methods."[3]

What those methods were he had made clear in an earlier part of his message, when he said:

"The policy of devastation and concentration inaugurated by the Captain-General's *bando* of October 21st, 1896, in the Province of Pinar del Rio, was thence extended to embrace all of the island to which the power of the Spanish arms was able to reach by occupation or by military operations. The peasantry, including all dwelling in the open agricultural interior, were driven into the garrison towns or isolated places held by the troops.

"The raising and movement of provisions of all kinds were interdicted. The fields were laid waste, dwellings unroofed and fired, mills destroyed, and, in short, everything that could desolate the land and

[1] Treaty Papers, Doc. No. 62, Part 1, Sen., 55th Cong., 3d Sess., p. 92.
[2] *Ib.*, p. 95.
[3] Richardson's "Presidents' Messages," Vol. X, p. 150.

render it unfit for human habitation or support was commanded by one or other of the contending parties and executed by all the powers at their disposal."

Further on in the same message, the President said:

"Reconcentration adopted avowedly as a war measure in order to cut off the resources of the insurgents, worked its predestined result. As I said in my message of last December, it was not civilized warfare; it was extermination. The only peace it could beget was that of the wilderness and the grave."[1]

Hence the President's conclusion:

"The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba."

And hence his appeal to Congress and to Christendom:

"In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and act, the war in Cuba must stop."

Within a few days, Congress, acting on this message of the President, declared in the joint resolution of April 20th, 1898, that:

"The abhorrent conditions which have existed for more than three years in the island of Cuba so near our own borders have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization . . . and cannot longer be endured, *as has been set forth by the President of the United States in his message to Congress of April 11th, 1898, upon which the action of Congress was invited.*"

Thereupon and "*therefore*" Congress *resolved:*

"That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba, and withdraw its land and naval forces from Cuba and Cuban waters.

"That the President of the United States be and he hereby is directed and empowered to use the entire land and naval forces of the United States, and to call into actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect."

[1] Richardson's "Presidents' Messages," Vol. X, p. 141.

If this attack on the territory, independence and sovereignty of Spain was not justified by her misgovernment in Cuba, it was the most colossal, piratical and hypocritical outrage in history.

Among the grounds and purposes of this war of intervention, as stated by the President in his same message to Congress, which Congress, as we have seen, adopted in express terms, and on which it acted so promptly and peremptorily, were the following:

> "First. In the cause of humanity, to put an end to the barbarities, bloodshed, starvation and horrible miseries now existing there, and which the parties to this conflict are either unwilling or unable to stop or mitigate. . . .
>
> "Second. *We owe it to our citizens in Cuba to afford them that protection and indemnity for life and property which no Government there can or will afford, and, to that end, to terminate the conditions that deprive them of legal protection.*
>
> "Third. The *right to intervene* may be justified by the very serious injury to the commerce, trade and business of our people, and *by the wanton destruction of property and devastation of the island.*"

These, then, being the grounds and purposes of the war of intervention waged by the United States against Spain, it was natural and proper for the United States, when victorious, to demand indemnity, as it did, for the injuries and losses suffered by its citizens during the insurrection in Cuba, as one of the conditions of peace. They had been deprived (in the language of the President) of "legal protection," and their property had been *wantonly* destroyed. But the Commission which has been organized under an act of Congress to adjudicate and settle these claims of our citizens, in accordance with article VII of the Treaty of Peace, has virtually ignored the war of intervention, which is the central and phenomenal fact of the situation, and has put the great bulk of the claims in peril by deciding (as if Spain's responsibility were still an open question) that, under the law of nations, Spain was not liable for the acts of the insurgents, and that concentration and devastation were legitimate war measures. The President of the Commission, the Hon. Wm. E. Chandler, criticises the late President McKinley for his official denunciations of Spanish methods in Cuba as illegitimate and barbarous. "The President," says Mr. Chandler, "had not then seen and probably did not anticipate the concentration and de-

vastation by United States troops under General Bell in the Philippines."[1]

Mr. Chandler seems to have forgotten that *Congress,* in express terms, adopted President McKinley's message and based its war resolution of April 20th on the abhorrent conditions which had shocked the moral sense of our people and had been a disgrace to Christian civilization, *"as set forth by the President of the United States in his message to Congress of April 11th, 1898, upon which the action of Congress was invited."*

But what, in any view of the subject, has the conduct of the United States in its insular possessions to do with its liability under article VII of the Treaty of Peace? Suppose that, in the course of General Bell's operations and those of "hell-roaring Jake," in the Philippines, the dwellings, and factories and cane-fields of non-combatant British subjects had been given to the flames by the combatants on both sides, and that their atrocities had been so shocking and the resulting anarchy so general that Great Britain had intervened by force of arms and driven the United States out of the islands (as the United States drove Spain out of Cuba), for the avowed purpose of putting an end to such barbarism and securing indemnity for its despoliated subjects; and suppose that, in making peace, Great Britain had exacted indemnity from the United States for such individual losses and injuries, and afterwards had refused to indemnify those very subjects of hers on the ground that, after all, the United States had only been doing what it had a legal right to do in the Philippines, and what Great Britain herself did shortly afterwards in South Africa, what would have been the verdict of the civilized world?

The causes that justify or excuse a war of intervention (and it is rarely that such an invasion of the sovereignty and independence of a nation can be justified or excused) require the exaction of indemnity for its subjects or citizens by the intervening power,

[1] Opinions of the Commissioners, Document No. 25, Sen., 58th Cong., 2d Sess., p. 101.

The rest of this remarkable utterance is as follows: "Possibly if he had supposed that, in addition to arousing just national indignation, in order to bring on war with Spain for the liberation of Cuba, he was announcing a new principle of international law and making a finding of facts which should be conclusive and binding upon United States courts in all future time, he would have withheld or moderated the soul-stirring utterances with which he began a great war for the freedom and independence of a new nation."

if it is victorious, and if its citizens or subjects were injured by the causes for which it intervened. The United States had no moral right to intervene by force of arms in Cuba unless Spain's misgovernment had resulted in a state of anarchy, or was precipitating such a condition, and unless the sufferings of our citizens, in their persons or property, had become intolerable, or our national interests were otherwise materially injured or placed in jeopardy by the lawlessness prevailing in the island. Having, however, successfully waged a war of intervention and exacted indemnity for individual losses as one of the conditions of peace, it would be simply infamous for the United States to take the position that it is not liable for the indemnification of its citizens, because the grounds on which it intervened by force of arms were false or mistaken, and Spain was all the time within her rights in her insular domain. And yet this is substantially what three of the five Commissioners have decided. And they have so decided on what they suppose to be facts, of which they have taken "judicial notice." For they have not yet considered the evidence which has been taken in the various cases,—evidence which shows (although such proof is unnecessary) that the President and Congress were justified in holding Spain responsible for the existence of the insurrection and for the injuries and losses of our citizens while it continued on the island.

The Commissioners have taken "judicial notice" of a condition or matter of fact which is seriously disputed; "that the insurrection which resulted in such intervention passed from the first beyond the control of Spain."[1] This is tantamount to a decision that the United States should have recognized the belligerency of the insurgents early in the insurrection, as the President of the Commission, when a United States Senator, so strenuously contended; or else that the United States was justified

[1] "That a domestic tribunal, such as the Commission, in its creation and constitution, can take judicial notice that an insurrection which continued throughout several years of fluctuating fortunes, exclusively within foreign territory, which never attained success through its own efforts, where the insurrectionists were refused belligerent rights by both Governments, was beyond control of the titular Government from the moment of its inception, throughout the length and breadth of the country, until a foreign Government steps in and stops the 'barbaric warfare,' is a principle without precedent in jurisprudence so far as I have been able to discover."—Commissioner Chambers's dissenting opinion, Doc. No. 25, Sen., 58th Cong., 2d Sess., p. 185.

in intervening because Spain had proved unable to govern the island.[1]

But Spain always contended that the insurgents were not entitled to be recognized as belligerents and that she could and would fulfil her international obligations and give full effect to articles VI and VII of her treaty of 1795 with the United States, and upon this contention and pledge, and for other reasons (one of which was the unwillingness of our government to release Spain from responsibility for the acts of the insurgents), the President refrained from recognizing the insurgents as belligerents, although it would have been the duty of the United States, when it appeared that Gomez and his followers were really beyond the power of Spain, either to have recognized them as belligerent and forced them to respect private American property in the island, or to have suppressed them as incendiaries and outlaws.[2]

The Commission has also taken judicial notice of the message of the Executive and the action of Congress upon it in April, 1898, when the war of intervention was declared; but, instead of respecting this sovereign act of the nation, and acknowledging

[1] In President McKinley's opinion, as stated in his war message of April 11th, 1898, to Congress, the time had come, after years of waiting, to make good the warning which had been given to Spain by President Cleveland in his annual message of December, 1896:

"When the inability of Spain to deal successfully with the insurrection has become manifest, and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge."—Richardson's "Presidents' Messages," Vol. X, p. 149.

[2] "If Spain was already released from liability for acts of the insurgents by the magic of the 'beyond control' doctrine, it was little less than solemn trifling for our Executive to allege, as a ground against conceding recognition to the Cubans, that such action would release Spain from liability to our citizens for their acts."—Commissioner Maury's dissenting opinion, Doc. No. 25, Sen., 58th Cong., 2d Sess., p. 171.

"The position of neutral governments towards insurgent forces is always a delicate one. If they are not recognized as belligerents by the state against which they are arrayed, the state in question theoretically accepts responsibility for the consequence of their acts in respect of neutral states. A neutral state may be satisfied with this responsibility, or it may recognize the belligerent character of the insurgents. If it does not, however, do so, the insurgent forces cannot exercise rights of war against neutral property without exposing themselves to treatment as outlaws and pirates."—"Ency. Brit.," Vol. XXXIII, 10th ed., article on "War," by Professor Thomas Barclay, p. 751.

its conclusive authority and its legal effects, as law and public policy require, the majority of the Commission (three to two) have substantially held that the President was mistaken in the grounds on which he recommended intervention by force of arms, and that Congress also was mistaken in adopting the joint resolution of April 20th, 1898, upon the allegations and for the purposes set forth in his message. The Supreme Court has often decided that political questions are not within its jurisdiction and that it is bound in such matters by the action of the proper branch of the Government, legislative or executive, whether that action be right or wrong;[1] but three out of five Commissioners (Messrs. Chandler, Diekema and Wood) have practically decided that, in this instance, the United States is not bound by the joint action of the President and Congress (which is tantamount to saying that it could not bind itself at all), and that it is not its duty to pay over to its injured citizens the indemnity it exacted from Spain expressly for their benefit; and this because it had no right to drive Spain out of Cuba on the ground that she was responsible for the conditions which prevailed in the island, and hence had no right to demand and obtain indemnity for the losses and injuries suffered by our citizens during the insurrection. This is to deny to an accomplished international transaction its appropriate legal effects, and to pass judgment on a political act of the nation.

To say that the United States, having released Spain from these claims and having herself assumed their adjudication and settlement in consideration of a cession of territory, stands in precisely the same position as Spain would have occupied if there had been no such war between the two countries, and if the claims had been referred to a mixed commission at the close of the insurrection, is to ignore the essential facts of the situation and make of no effect the things which have actually been done. For there *was* a war of intervention; it was waged by the United States on the ground that Spain was responsible for the anarchy that prevailed in Cuba, and consequently for the injuries and

[1] Foster *v.* Neilson, 2 Pet. 253, 307, 309; Cherokee Nation *v.* Georgia, 5 Pet. 1, 21; United States *v.* Arredondo, 6 Pet. 691, 710-712; Garcia *v.* Lee, 12 Pet. 511, 517, 519; Williams *v.* Suffolk Ins. Co., 13 Pet. 415, 420; Luther *v.* Borden, 7 How. 1, 55-57; United States *v.* Lynde, 11 Wall. 632, 638; Phillips *v.* Payne, 92 U. S. 130. 132; Coffee *v.* Groover, 123 U. S. 1, 25, 26; Jones *v.* United States, 137 U. S. 202, 212-214; *In re* Cooper, 143 U. S. 472, 503, 504; United States *v.* Texas, 143 U. S. 621, 638, 639.

losses suffered by citizens of the United States during the insurrection on the island; and, accordingly, when Spain sued for peace, the United States exacted a cession of territory for the express purpose of recouping these personal damages as well as the expenses of the war. Those claims of our citizens (as already observed) were always described in these general terms in the diplomatic correspondence, the President's messages and the peace protocols, and there never was from the beginning to the end of the negotiations at Paris, or in the instructions to the Commissioners who negotiated the Treaty of Peace, a word said by way of distinguishing the injuries and losses inflicted upon our citizens by the insurgents from those inflicted upon them by the Spaniards,[1] for the simple and all-sufficient reason that the war of intervention was undertaken and waged by the United States, and indemnity was exacted for those individual damages, on the ground that Spain, by her misgovernment of Cuba, was morally responsible for the conditions that had so long prevailed in the island, and for the consequent injuries which our national interests and our citizens resident in Cuba had been suffering.

Whether the war of intervention was justified or not is immaterial, so far as the duty of the United States to pay these claims of her citizens is concerned. It *did* intervene, and, in accordance with the avowed grounds and purposes of its intervention, and in the exercise of the conqueror's right, it exacted indemnity for all those individual claims "of every kind," and agreed in the treaty to adjudicate and settle them.[2] Neither the

[1] "But before turning away from the proceedings at Paris, I must refer to the very significant language of our Commissioners in one of their elaborate replies, where they speak of the magnanimity of our Government in waiving the right to demand money and in being content with a cession of territory for the many millions spent, and '*the sufferings, privation and losses endured by its people.*' (Treaty Doc., p. 107.) In my judgment, this sweeping language would hardly have been employed if there had been any recognized limitation on the liability of Spain for the injuries and losses of our citizens in Cuba."—Commissioner Maury's dissenting opinion,.Doc. No. 25, Sen., 58th Cong., 2d Sess., p. 162.

[2] "Indeed, this action of the Commission has a still more serious phase, for, if it was the exercise of a valid jurisdiction, it is binding on the United States, and might provoke Spain to complain of having been compelled to grant indemnity for what the United States now repudiates."—Commissioner Maury's dissenting opinion.

The Republic of Cuba would now be liable to the United States for the injuries and losses inflicted on American citizens by the Cuban insurgents during their struggle for independence, if the United States had not collected indemnity for such injuries and losses from Spain.

fact of Spain's responsibility, nor the grounds on which the United States held her responsible and expelled her from Cuba, can be questioned by the Commission.

"The judiciary is not that department of the government to which the assertion of its interests against foreign Powers is confided, and its duty commonly is to decide upon individual rights according to those principles which the political departments of the nation have established."[1]

"Conquest is undoubtedly the assertion of a right, but it is the right to conquer which results from a state of war. It is not the assertion of a previous right or title to the territories conquered. Whether in doing so the belligerent is acting like a highwayman depends upon the moral justification for the war, an inquiry into which neither neutrals nor the courts of the belligerents can enter."[2]

The act of Congress "to carry into effect the stipulations of article VII of the treaty"[3] provides that the claims shall be adjudicated "according to the merits of the several cases, the principles of equity and of international law." "Equality is equity;" and it would have been most unequal and inequitable for our Government to have exacted indemnity for some of its citizens and left the others, whose property was destroyed by the insurgents, to bear so much more than their share of the cost of Cuban independence and our "war for humanity." And, if there is one thing better settled in the law of nations than another, it is that forcible intervention can be justified only on such grounds as President McKinley set forth in his message—(1) intolerable conditions from which the intervening power is suffering, either directly or in the persons of its citizens, and (2) responsibility for such conditions on the part of the sovereign against whom the war of intervention is waged. Of this responsibility the intervening power must necessarily be the judge, and the exercise of such judgment is the highest and most responsible act of sovereignty within the power of the nation. The United States decided that Spain, by her broken promises to her subjects in Cuba, by her continued misgovernment of the island, and by the barbarous methods she employed in attempting to suppress the insur-

[1] Foster *v.* Neilson, 2 Pet. 253, 307.
[2] Castillero *v.* United States, 2 Bl. (67 U. S.) 1, 369.
[3] 31 Stats. at Large, 877.

rection which she herself had provoked, was responsible for the ensuing conditions in which the dwellings, the fields and the factories of non-combatant, law-abiding citizens of the United States were given to the flames by both the contending parties. This decision, followed, as it was, by the forcible expulsion of Spain from Cuba and the exaction of indemnity by the United States for the injuries and losses so suffered by its citizens during the insurrection, is binding on the Commission and on all concerned; and whether the United States was justified in thus intervening, or, in the language of the Supreme Court, was "acting like a highwayman, depends upon the moral justification for the war, *an inquiry into which neither neutrals nor the courts of the belligerents can enter.*"

For the Commission to say that the avowed reasons for which the United States intervened by force of arms, and expelled Spain from Cuba, and afterwards exacted indemnity for individual injuries and losses, were false or mistaken, that Spain was not responsible for the insurrection, that devastation and "reconcentration" as practised by General Weyler were legitimate war measures, and hence that the United States is not bound to keep the covenant of the treaty and adjudicate and settle these claims of her citizens in good faith, is for the creature to condemn and dishonor its creator and to defeat the purpose for which, and for which alone, it was brought into being.

What can be done to prevent such a national injustice and disgrace? Congress should grant an appeal to the Supreme Court of the United States, and thus secure such a judicial construction of article VII of the Treaty of Peace as its importance demands; or it should transfer the cases as they now stand to the Court of Claims, free from any decision or opinion of the Commission, and give the claimants and the country the benefit of the learning, experience and impartiality of an established, competent and responsible tribunal.

CRAMMOND KENNEDY.

FINANCING THE NATIONAL THEATRE.

BY JAMES S. METCALFE.

Six million dollars is the sum required sufficiently to endow a National Theatre and its dependent institutions. But, before explaining why this is the amount required, and before going into a consideration of how it may be obtained, it will be well to discuss briefly the necessity for such a theatre, and to determine whether it is a practicable idea or only a dream of visionary enthusiasts.

The objects of this endowment would be:

1. To construct in New York a theatre-building which shall be (*a*) an architectural ornament to the city; (*b*) safe; (*c*) comfortable; and which (*d*) shall possess on its stage all the modern accessories for the perfect presentation of any play;

2. Gradually to form and perfect the best and most thoroughly trained company of English-speaking actors in the world;

3. To acquire gradually a repertory of the standard plays in English, both classic and modern, and to present them in the best manner and with the nearest possible approach to artistic perfection;

4. To encourage American literature by giving production to adequate plays by American authors;

5. To choose, under scholarly advice, the best standard of pronunciation of our language, so that the usage of the National Theatre shall be a recognized authority and the preserver of pure speech;

6. To establish, in connection with the theatre, a conservatory, in which shall be taught the elements of acting, including elocution, pantomime, fencing, dancing and kindred necessities of the art;

7. To establish, in connection with the theatre, a library which

shall not only be of value to the theatre in making correct standards in details of scene and costume, but which shall be available for American dramatists and writers on dramatic subjects;

8. To set a correct and artistic standard which shall be a continual incentive to the improvement of dramatic art in America.

Taking these objects *seriatim,* the first represents conditions which should be characteristic of every theatre, but unfortunately are not; for a National Theatre they would be necessities. It would be fitting to a permanent and representative theatre that it should, both inside and out, be impressive and exemplify the best—not necessarily the most elaborate or costly—architectural art of our day. Safety and comfort would be essentials, and its stage would also, of necessity, be equipped and arranged for perfection in the smallest detail work, as well as for the greatest impressiveness in spectacle.

The next object, the forming of a perfect company, opens up a wide vista of argument, and includes the further object of the establishment of a conservatory, teaching all the things which aid in the art of expression, such as elocution, pantomime, dancing and fencing. The formation of the first company of the National Theatre would have to be from present acting material and in competition with the purely commercial theatres. These last would, of course, hold out higher inducements to actors in the way of immediate pecuniary return. On the other hand, the National Theatre, with its permanency, its higher ideals, its standard of fair-dealing and its rewards based only on artistic accomplishment, would hold out inducements which would win the allegiance and the loyalty of true artists and actors of the better class. Later on, the company would be recruited from the theatre's own conservatory. Maintained by the endowment, this conservatory would be under no obligation to accept pupils from mercenary motives. It would extend its training to persons with the natural qualifications and dramatic instinct, many of whom are now debarred from acquiring the education which would make them finished actors instead of the half-equipped performers we so often see. It cannot be doubted that a company so recruited would go on and on toward a higher degree of excellence, until the object of having in America "the best and most thoroughly trained company of English-speaking actors in the world" would eventually be attained.

The repertory of the National Theatre would at first naturally be drawn from the existing stores of classic and semi-classic plays. In some quarters, a fear has been expressed that the stage of the National Theatre would be given over exclusively to Ibsen, Maeterlinck, Hauptmann, D'Annunzio and other modern writers who have a limited following of enthusiasts. With Shakespeare and the classics to draw on, and besides these a long line of minor dramatic writers reaching down to our own time, it is not to be believed that a rational management of a National Theatre would give over its facilities completely, or even to any great extent, to the adherents of any one class of writers.

Dreariness and unattractiveness are also prophesied as likely to characterize the repertory of the National Theatre, with its artistic ambitions. This is as much as to say that what is artistic and of high merit would necessarily be disagreeable. It must be confessed that, if the National Theatre is expected to present plays which will compete with the horse-play, evanescent jokes and frequent lubricity of some commercial theatres, the expectation would be disappointed. Outside of scholarly tragedy, which would interest from the perfection and impressiveness of its presentation, there are unlimited stores of lighter dramas and comedies, many of them of contemporary interest, which are worthy of the highest artistic effort, and which would fall well within the province of a National Theatre.

The life, manners, tragedy and humor of our own time would find their way to the stage of the National Theatre through another avowed object of its proponents. The encouragement of the American author, of course as a subsidiary and by no means exclusive idea, should at times bring to its boards fresh material of rapidly increasing excellence. The commercial manager is debarred, by the great cost of their production, from making experiments with plays by authors untried in dramatic writing. Although this is the most remunerative field of literary work, our best writers do not enter it because of their fear that they cannot answer the demand of the commercial manager for material which shall surely appeal to the great multitude. The writer who is dependent on his pen, and who has a fixed market for his wares, is not tempted to work on the chance of satisfying such a demand.

The National Theatre would naturally require a technical library for the use of its own stage-managers, artists, designers,

costumers and pupils. There can be little doubt that this would in time grow to become an institution of great value to every one in America working for, or interested in, dramatic art. Its value is so obvious, and its support would come from so many sources, that it could not help growing into an institution of large importance. In fact, it would seem that to-day a public dramatic library could be easily and successfully established as a separate enterprise, later on to be connected with the National Theatre when the latter shall have become a fact instead of a hope.

Two objects remain for comment, and it is a question which is the more important; these are, first, the creation in the National Theatre of a standard of acting and theatrical production which shall be the highest possible, and by example raise the standard of every other theatre in America; next, the insistence in the National Theatre on such purity of pronunciation and diction in the use of our language that its usage shall be authoritative and preserve our language from the corruptions which assail it on every side. The stage stands for so much in the teaching of speech and manners by example that it seems a high duty of the American people to establish for it the highest possible standard. As a teacher in these things it certainly ranks above the churches, and almost as certainly above the schools, with their varied standards. It is doing its work every week of the year and almost every day of the week. It should have a fixed standard, derived from the very best authorities. If we leave this tremendous influence in the hands of the ignorant and the uncultured, we are neglecting a most potent instrument of national culture and improvement to let it become an influence against, instead of for, refinement and good manners.

The above shows in brief detail what a National Theatre seeks to accomplish. Broadly speaking, does there exist any necessity for providing the six million dollars which shall make the National Theatre an actuality? To any one acquainted with the tendencies of the commercial theatre, there can be but one reply: that it is a vital necessity in the life of the American people; that nowhere else can a sum so small, compared with other expenditures for educational purposes, be used with the promise of securing such far-reaching benefits. Naturally, only a small proportion of our great population would ever witness its performances, but its influence would be felt in every theatre in the country, and from

them would extend into the every-day life of all the people. No university and no group of universities, with endowments vastly exceeding that required for a national theatre, can reach as speedily and with such immediate educational effect into every part of our national life. The tendency of the theatre to-day is downward; downward in its literature, in its morals, in its manners, in its arts, and in its speech. We are an easy-going people, and in our amusements take things as they are provided. To-day, money-getting is the main motive which animates the purveyors of our theatrical entertainment. Until there can be set for our theatres a higher standard than that based chiefly on money-getting, we must expect the downward tendency to continue. An endowed National Theatre would set that standard.

Why are six million dollars necessary for the endowment of a National Theatre, when commercial theatres are successfully capitalized on a much smaller basis? For the simple reason that the commercial manager is willing to gamble on the chances of temporary success (and often fails), and the National Theatre seeks to become a permanent institution. It cannot take the risk of being destroyed by a failure, or a succession of failures, especially in the early days of its existence when failures, in the commercial sense, are naturally to be expected. An endowment of six million dollars does not in any way mean the expenditure of that amount. In fact, it would remain virtually untouched in the hands of its trustees. Regarded as an investment of so much capital, there is no reason to believe that it might not eventually earn a handsome return. For instance, the net profits of the Comédie Française for 1903 were $130,000.

The amount of six million dollars is reached after careful computation of what is needed to place a National Theatre on a secure basis of permanency, and to supply an income to carry it through its stages of experiment and imperfection. It could not be expected to come into the world Minerva-like. Complete artistic perfection is not achieved instantly, and the first years of the National Theatre, while showing a vast improvement on present methods, would, from the very condition of dramatic art as it is, fall short of the accomplishment it would eventually reach.

The National Theatre would have, first of all, to be adequately housed and within the reasonable access of its patrons, as well as in a location where it would be of value as a public ornament.

A careful estimate of the cost of site, of the erection of the theatre itself, of preliminary expenses in the way of administration, and for interest lost during the process of building, would make the cost of a well-located, perfectly and artistically constructed theatre, turned over ready for use, amount to twelve hundred thousand dollars.

The annual fixed charges of operating such a theatre, regardless of the salaries of a company and the cost of the actual production of plays, have been carefully figured on the basis of similar disbursements in existing theatres, and amount to seventy thousand dollars a year. This includes such salaries as those of a director and assistant director, stage-managers, musicians, business assistants, doorkeepers, ushers, electricians, carpenters, scene-painters, costumers, wardrobe-keepers, property-men, engineers, firemen, stage-hands and watchmen. It is only fair to say that this expenditure of seventy thousand dollars includes yearly salaries, and implies that the theatre is playing a full season. In the beginning of its existence, before its repertory was a large one, the season would, of necessity, be short, and there would be some reduction in this amount.

The yearly cost of the conservatory has to be estimated, and it is believed that twenty thousand dollars is a very generous amount for this purpose and would secure the highest class of instruction. That the amount is excessive, rather than scant, seems reasonable when it is considered that in many cases the cost of instruction could be reduced by utilizing the services of highly qualified persons employed in the theatre in other capacities.

The sum of twenty thousand dollars a year is allowed for taxes, repairs and insurance. On a fire-proof building the insurance rate would not be high; ordinary repairs would be taken care of by the salaried mechanics of the theatre, and it would not be too much to ask the State and City of New York to lighten the burden of taxation on an institution not run for profit and of such great educational value to the people at large, as well as of value in fixing New York's position as the metropolis of America.

The expense of maintaining an adequate company must also be, for the most part, estimated. Eventually, the salaries of the members of the company of the National Theatre would be based

on yearly engagements, and a generous estimate makes the salary list something under one hundred and twenty-five thousand dollars a year. This provides for no exaggerated payments to stars. As the National Theatre would claim its superiority on the excellence of its *ensemble* work, the star would not be essential to its existence. This does not necessarily mean that the greatest artists would not be seen upon its boards, but this would be by special arrangement, which would not be considered in planning the theatre's business.

The cost of the production of plays would vary in each case with their character. It goes without saying that the productions at the National Theatre should be the best that could be given, in each case the expenditure not being expenditure simply for expenditure's sake, but for producing impressiveness, spectacular effect, artistic detail and historical accuracy, as might be required. The number of yearly productions would, at first, be limited by the income from the endowment, unless the patronage of the public should enable the management to go beyond that limit. As a tentative proposition, it is supposed that, in the first year of its existence, the theatre would make four productions, one at a cost of thirty thousand dollars, one at twelve thousand, one at seven thousand and one at five, making a total of fifty-four thousand dollars. In its second year, it would have these four plays in its repertory and could produce four others, thus from year to year increasing its repertory, lengthening its season and increasing its gross income.

We have, then, as a reasonable and safe basis of annual expenditure for the maintenance of a National Theatre, the following items and total:

Fixed expenditures	$ 70,000
Salaries of company	125,000
Taxes, insurance and repairs	20,000
Expenses of conservatory	20,000
Cost of four productions	54,000
Total	$289,000

After defraying the cost of land and building, we have left, of the six million dollars endowment, four million eight hundred thousand dollars. Invested at four per cent. this would yield $192,000, leaving $97,000 to be provided for by sales of tickets. If the endowment fund could be safely invested at 4½ per cent.,

the amount to be made up by sales of tickets would be reduced to $73,000.

On the small expectation that the four productions of the first year would provide a season of only twelve weeks, with total receipts of sixty thousand dollars—very far from an extravagant estimate—an actual deficit of only thirty-seven thousand dollars would be carried over. With a repertory of eight plays and a longer season, the second year should not increase the deficit; and it would seem very bad management if, out of eight productions, one at least should not be sufficiently successful in the commercial sense to wipe out the deficiency, allowing the third season to start with a considerable repertory and the prospect of a season which should return a profit.

It will not be difficult to criticise these figures; but, wherever it has been possible, they have been drawn from existing conditions; wherever they are only estimates, the estimates have been made on the safe side. A shrinkage or an excess in one item may be offset by an excess or a shrinkage in another. In many ways, economies will be possible which are not shown here, and which may be practised without in any way interfering with the excellence of the general result. In the productions of an endowed theatre, extravagant display need not be counted on as an attraction, although it will be a necessity to make large expenditures in mounting some plays, to give their settings the needed impressiveness.

Having shown briefly what are the objects sought to be achieved in the endowing of a National Theatre, and what that endowment should yield to fortify the institution against failure, it may be well to show why the same results cannot be obtained by the commercial theatre. The same complexity which has entered into modern life in other matters has affected the theatrical art more strongly than it has other arts. With the same expenditure for paint and canvas, the painter of to-day can produce, if he has the genius, as great a picture as could Raphael or Titian. This also holds good with music and sculpture. But the dramatic author and the actor find themselves confronted with demands, in the presentation of their art, which did not exist when audiences were content to sit in barnlike structures, and see plays presented amid crude surroundings and in most primitive settings. The increased requirements of the theatre-going public

have made the commercial manager a greater necessity, and the art itself of less importance, than formerly. The housing and staging of plays have become almost the most important thing in their production. Business ability has come to be of even greater importance than genius. Business competition has made the business man more powerful than the actor and author combined. These latter to-day cannot exist without the former; but the former, if he cannot make terms with the actor and author of the highest ability, can find others less gifted who suit his commercial purpose practically as well. The result is apparent to any one, especially in America, where the business of managing theatres and producing plays has become in effect a business monopoly. Our theatres are increasing in number, in magnificence and in cost. Stage mechanics are improved and elaborated in possibilities and expense. On the other hand, dramatic authors and actors and plays of the best class are yearly becoming scarcer and scarcer. Art does not thrive in the cruel atmosphere of business and money-getting. We hear that art which is worth while will push itself to the front, no matter what the circumstances. The history of the world shows that, in periods of military, religious, or commercial activity, this has not been true. Certainly, it has not been true in the case of dramatic art.

The great question of where to secure the six million dollars to endow a National Theatre comes next. When one considers the value of the institution as an educator, and remembers that education is the great conservator of our nation, one might think that, with a people which is enormously rich, individually and collectively, and which claims to be a practical people, this would be a question easily answered. The first thought would be that the Nation or the State would gladly assume the comparatively small burden. This is as unlikely to occur, as it would be unfortunate if it did. In our politics, partisanship and demagogism cut too large a figure to make governmental interference desirable in matters where education, taste and refinement should be controlling influences. Joseph Jefferson put this concisely when he said that it would hardly do to have a National Theatre when we would have only Republican actors under one administration and Democratic actors under another.

Those millionaires who have shown themselves ready to supply endowments in large amounts have been the next source thought

of, from which should come this great public benefit. Unfortunately, those millionaires who have shown this disposition are hounded to death and have slight patience to investigate the merits of new channels of beneficence. But there are other millionaires who could provide this endowment out of hand, and almost without feeling it. One would think that the certainty that by establishing such an institution he would send his name down to posterity as its founder, would appeal to some one of these. Because of early religious training in which the theatre was considered an influence for evil only, and because of a certain unsavoriness which has sometimes attached to the connection of rich men with the stage, and perhaps because the matter has never been properly presented to the right man, none of these has yet made his views heard in the matter.

The six million dollars which will endow this theatre, it should be remembered, are not to be expended for the purpose of running a theatre, thus to be scattered and disappear. The only part of the endowment which would be actually expended is that which would go into land and building, things which would be valuable and permanent in themselves. The remainder would be invested and kept intact, only its income being used for the deficiencies of the institution. This income would certainly be needed at first, and it should always be available in case the theatre should fall into periods of unwise or mistaken management. After the theatre's early years, when its repertory became large and its company a thoroughly trained one, there can be no doubt that what would be the best theatre in America would become self-sustaining and even profitable. At that time there could be no objection to returning the surplus and unneeded income to those who had provided the endowment, to their heirs, or to their assigns. A plan to secure an endowment of the National Theatre must disregard the Government and the individual millionaire. But it seems not impossible that there are in America enough persons of large means and enlightened patriotism to furnish by association the insurance fund necessary.

A rough plan has been made of a suitable theatre which shall contain, in part of its auditorium, fifty comfortable boxes arranged in two tiers, and an estrade containing one hundred especially roomy chairs, all possessing equally good views of the stage. These boxes and seats are reached immediately from a

large and impressive foyer reserved exclusively for their occupants.

These fifty boxes and one hundred estrade chairs, in a manner to be discussed further on, would form the basis for the endowment of the theatre. In addition to them, there would be from five hundred to a thousand orchestra chairs, more roomy and comfortable than those to be found in the commercial theatres; similar seats in the first gallery, immediately over the upper tier of boxes; and others in a second gallery. From this generous seating capacity, it might be thought that the plan calls for an extremely large, and therefore barnlike, theatre. On the contrary, a theatre built on this plan would bring the entire audience close to the stage, making the work of the actors easy, and would be admirably arranged, in seeing and hearing properties, for the audience in every part of the house. As an educational scheme, the National Theatre must furnish good seats at moderate prices for a large part of its constituency, and this would be very feasible under the plan proposed. The upper foyer, for box-holders, and the lower one, for the use of the audience from the other parts of the house, would be foyers in the European sense of the word, and with convenient access to the auditorium would attract the entire audience between the acts.

In making boxes and seats a basis for subscription to the endowment, it is with a thorough understanding that a box at the opera has uses which could never go with a box at any theatre. One can sit through frequent repetitions of a musical work, because the enjoyment of music is a more sensual pleasure and one which can be enjoyed over and over again. Bearing in mind that the necessities of a theatre call for runs of plays of some duration, and that a box-owner would not care to use it very often during the run of a play, it is proposed, in order to make the ownership of boxes and estrade chairs attractive, that they shall be held on the following basis:

1. That the owners shall be entitled to their boxes or chairs on the occasion of all first presentations;

2. That, at any other time when they shall wish to do so, they shall have the right to use them for themselves or friends;

3. That when owners shall not indicate that they wish to use their boxes or chairs, the same shall be placed on sale to the general public, the proceeds to be set apart and, when the theatre

shall have paid its running expenses, to be divided on an equitable basis among the subscribers to the endowment.

The *crux* of this plan to secure an endowment for a National Theatre lies in the possibility of securing fifty subscriptions of one hundred thousand dollars each and one hundred subscriptions of ten thousand dollars each, not an extravagant possibility in this country of many large fortunes. Each subscription would be represented by a certificate transferable by assignment or bequest, those for the larger amount representing the rights to a box, and for the smaller, to one of the estrade chairs. In addition, these certificates would represent the owner's right to a pecuniary return on the subscription when the endowed theatre should show an income exceeding its running expenses and the cost of its productions.

This return to their subscribers, or their heirs or assigns, would eventually be a handsome one, but the appeal for subscriptions to the endowment must be based on a higher motive than this expectation. With the endowment rigidly safeguarded, as it would have to be, subscribers could be sure that their generosity would insure to the American people, for all time, an educational institution of the highest value and that it would be an enduring monument to the public spirit and patriotism of its founders.

According to the census, in one year of the last decade three hundred million dollars were expended upon schools, colleges and other educational institutions. One-fiftieth of that amount would endow a National Theatre. Its education, its influence in purifying our speech and in refining our manners, would be felt the country over and for all time, without distinction of creed or cult. Is that not good education? Is it not education needed in a country given over to absorption in the pursuit of material things? Is it not a practical idea? And, above all, is it not a patriotic idea, which should appeal to those who have found in this country the opportunity to accumulate large fortunes and the privilege to enjoy them?

JAMES S. METCALFE.

SOME RESULTS OF THE SOUTH POLAR CAMPAIGN.

BY J. SCOTT KELTIE, LL.D., SECRETARY OF THE ROYAL GEOGRAPHICAL SOCIETY.

In March of last year, in an article in this Review, I gave a sketch of the actual state of the various forces that were then besieging the still-uncaptured fastnesses entrenched within the thick-ribbed ice of the North and South Polar areas. During the short period that has since elapsed, much has happened, at least in connection with the international forces that have been laying siege to the Antarctic. Preliminary reports of the results of the German and Swedish expeditions have been published, while the British and Scottish national expeditions under Captain R. F. Scott and Mr. Bruce, respectively, have returned. From these latter, reports are also available which enable us to form a very fair estimate of the results which have been achieved in the various departments of science in which investigations were carried out. In a general way, to continue the metaphor with which we started, it may be said that positions of the first importance have been captured, and the way has been opened to science to secure the mastery over the last remaining outpost of ignorance on the face of the globe. We can now form a fair idea of the configuration of the vast area of land which surrounds the South Pole; while in geology, meteorology, terrestrial magnetism, oceanography and biology, the spoils have been immense.

The geographical results are probably those which will appeal most to the general reader. A map of the Antarctic, as it was in 1904 before these expeditions sailed, will show in the region to the south of New Zealand, between 71 degrees and 78 degrees south latitude, and between 160 degrees and 170 degrees east longitude, a block of mountainous land, apparently isolated,

terminating in the south in Mounts Erebus and Terror. This was, practically, as Sir James Ross left it sixty years ago. Extending eastwards from the two mountains for some 450 miles, an ice-barrier is shown, rising to a height of about 200 feet and barring all access to the interior. At the eastern extremity of the barrier, Ross's chart indicated an "appearance of high land." That was all we knew of this region, until Captain Scott and his companions gave reality to the "appearance of high land," circumvented the great ice-barrier and revealed to us the mysteries that lie beyond. The generally accepted idea was that Ross's ice-barrier was really the steep termination of a great ice-sheet, covering, to a depth of hundreds if not thousands of feet, a land rising southwards towards the Pole; and that flat-topped Antarctic icebergs were fragments broken off the barrier. The various sledge expeditions organized by Captain Scott have proved this conception of the so-called ice-barrier to be erroneous.

When the "Discovery," in January, 1902, reached Cape Adare, on the northeast of South Victoria Land, it skirted southwards along a coast-line rising steeply from the ocean, and already partly known from previous exploration, until it reached the neighborhood of Mount Erebus. Thence it continued its course eastwards along the great Ice-Barrier of Ross, which, it was found, if Ross's observations were correct, had receded southwards about forty miles in sixty years. This barrier extended for about four hundred miles, beyond which the expedition found that Ross's "appearance of high land" resolved itself into an extensive mountainous region, rising to thousands of feet and now named "King Edward VII Land." One of the problems left to solve is, how far this land extends southwards towards the Pole, and whether it continues, coastwards, in an unbroken line till it merges into what is known as Graham Land, where the Swedish Antarctic expedition was at work. Appearances of land have been reported by previous expeditions between King Edward VII Land and Graham Land—or rather Alexander Land, which lies immediately south of Graham Land and may be continuous with it.

From the position taken up by the "Discovery" under Mount Erebus, where she remained until the beginning of 1904, expedition after expedition was sent out, south and west and southeast, for the purpose of exploring what was regarded as the interior of the Antarctic continent. No doubt, the most important

and perhaps the most hazardous of these expeditions was that undertaken by Captain Scott himself, accompanied by Lieutenant Shackleton and Dr. Wilson. It extended over more than four degrees of latitude, considerably beyond 82 degrees south, and sights were obtained to beyond the 83d degree. This journey was all the time over ice, whose essentially level surface was only varied by hummocks and crevasses. Another journey made a year later by Lieutenant Royds, over 150 miles in a southeasterly direction, found the ice of the same character as that traversed by Captain Scott and his party. Captain Scott's route was, on the west side, flanked by a high, mountainous country, rising at a comparatively short distance from the edge of the level ice to a height of ten thousand feet, but broken at frequent intervals by inlets of an essentially fjordlike character. As far south as could be seen from the furthest point reached, this mountainous land continued, rising at one point—Mount Markham—to fifteen thousand feet. Two journeys were made to the west of the "Discovery's" position, first by Lieutenant Armitage, and later by Captain Scott, to a distance of some two hundred miles from the coast, over ground again of a markedly mountainous character. In the southern journeys, the members of the expedition themselves have no doubt that they were travelling over sea ice which was steadily on the move northwards. In this opinion they were confirmed by the fact that, in boring down through the ice, after a certain depth was reached the temperature began to rise, indicating the proximity of water. What is the depth of this ice it is impossible to say, but it is probably many hundreds of feet. The face of the Barrier itself rises in places to over 200 feet above the sea, while soundings taken immediately in front of the Barrier varied from 300 to over 400 feet. It seems fair to conclude, therefore, that there is a vast mountainous region extending southwards from Cape North, close on 70 degrees, to beyond Mount Markham, close on 84 degrees. Nearly along the 78th parallel, westwards for 200 miles from McMurdo Sound, the land continues to extend and has the same characteristics.

The problem to solve in this direction is, what area is covered by this land. Does it extend right round continuously from 170 degrees east to the meridian of Greenwich? Dr. Drygalski, from his winter quarters on the edge of the Antarctic Circle at about

90 degrees east, made a series of sledge journeys to the land in his vicinity on the south, and seems disposed to conclude that there is a continuous stretch of coast from Knox Land on his east to Kemp Land and Enderby Land on his west, a distance of some 200 miles. Though probable enough, this requires confirmation by actual exploration. Between Cape North and Mount Gauss, opposite the winter quarters of the German Expedition, the expeditions of sixty years ago indicated patches of land, though the real character of what was seen is extremely doubtful. At any rate, that there exists a vast mass of mountainous land extending westwards from the 170th degree of longitude there can be no doubt, and its great extent and mountainous character would indicate that it is more continental than insular.

Another geographical problem is the extent to which the sea under the thick ice-covering on which Scott and Royds made their sledge journeys, extends towards the Pole. Certain authorities are disposed to believe that it goes right through across the Pole and out at the other side, separating this mountainous western land from any other land on the east, which may or may not be continuous with King Edward VII Land. Captain Scott, however, is disposed to conclude that this sea is only an intrusion southwards into a vast land mass, and that it may end about 84 degrees south. In that case it is probably only a great bay or gulf, stretching Polewards and separating Victoria Land from King Edward VII Land, these two lands meeting at about 84 degrees south and hindering the sea from intruding further. That, again, is another problem which can be solved only by actual exploration. How far the fjordlike openings which break what we may call the east coast-line of Victoria Land, extend into the interior, it is impossible to say. They are all filled by enormous glaciers, and these glaciers might very well rest on the beds of actual fjords, which in a more genial climate would be filled with water.

Dr. Nordenskiöld, on the opposite side of the Antarctic area, carried out a certain amount of sledging work, which enabled him to extend our knowledge of Graham Land, and to indicate that this land, instead of being a broken series of islands, extends continuously from about 63 degrees south, probably to about 70 degrees. Whether it joins on to Alexander Land, still further south, and so continues round, with a more or less bro-

ken coast-line to King Edward VII Land, remains to be discovered. Mr. Bruce, the leader of the Scottish expedition, was at work some 600 miles to the east of the Swedish expedition. His sphere was in what is known as the Weddell Sea, where he proved that the greatest depth did not much exceed 2,000 fathoms, and that Weddell was mistaken, some eighty years ago, in carrying it down to 4,000 fathoms. His soundings, however, shallowed very rapidly, until in about 74 degrees south and 20 degrees west he discovered a great ice-barrier which he believes to be part of the coast-line of the Antarctic continent. The character of this ice-barrier is quite different from that which was met with by Captain Scott on the other side; for Mr. Bruce assures us that immediately behind the barrier rose rapidly up a great ice-covered land. What are the relations of this land to Graham Land on the west, to Drygalski's supposed extensive coast-line on the east, and to the mountainous land which Scott believes to extend from about 84 degrees south across the Pole, is another problem which we may be assured will not remain unsolved. But it is clear that all four expeditions had to deal more or less intimately with what, as had been conjectured, is probably a great continent of a prevailingly mountainous character, though it may possibly be found that the continental area is broken up into two or more sections by intrusions of the sea. It would not be surprising if it turned out to be essentially a vast land area, in shape not unlike that of Australia.

Such, then, are some of the leading geographical results of the three years' exploration. Whatever may be the extent of the land round the South Pole, it is evident that its interest can only be purely scientific. Its conditions are more hostile to human occupation than any other land that we know on the face of the globe. Of terrestrial animal life there is absolutely none, except it may be a microscopic insect. The millions of penguins that swarm along the coast during the summer season are essentially migratory. But, with the seals, four kinds of which are also abundant, they can be turned to various economic uses by humanity. Nothing but the lowest form of moss is found on the land in the shape of vegetation. The sea is comparatively rich in fishes of various kinds, some of them of great scientific interest, and both Mr. Hodgson of the "Discovery" expedition, and Mr. Bruce of the Scottish expedition, have brought home a rich

harvest in this department. Except on the voyage down from New Zealand, and on the voyage homeward from New Zealand across the Pacific to Cape Horn, where a considerable number of deep-sea soundings were made, the soundings of the "Discovery" expedition were mainly along the face of the ice-barrier. Nor had they much opportunity for dredging in the Antarctic proper. Mr. Bruce, however, made this the principal object of his expedition, and his soundings and dredgings in great depths will without doubt prove of great scientific value.

It need hardly be said that, as a whole, all the expeditions found the land deeply covered with ice,—how deep in some cases it is impossible to say, it may be thousands of feet. Still, in Victoria Land, at least, there is a considerable area of rock surface bare of ice, giving an opportunity for the geologist to investigate the nature of the rocks and to collect specimens. Although Mount Erebus is the only steadily active volcano at present known, there is evidence all over the land, so far as could be seen, of widespread volcanic activity in the past. Basalts and the most ancient rocks are everywhere seen, though in the region investigated by the British expedition there were great exposures of sandstone, sometimes overlaid and underlaid by basaltic intrusions. It was in one of these exposures that Mr. Ferrar, the geologist of the "Discovery," came across some fossil plants, a very clear indication that, whatever their nature, the climate of this forbidding land must, at no very remote geological period, have been comparatively genial, temperate, at least, if not approaching the subtropical. When these fossils have been investigated, it will be possible to say whether they are of the same nature as the Cycads found by Dr. Nordenskiöld in Graham Land. Dr. Nordenskiöld's plants belong partly to the Jurassic, and partly to the Tertiary, period. Associated with these are the remains of some vertebrate animals, and, although the region investigated by him lay far to the north of that at which the British expedition was at work, still its climate to-day is essentally Antarctic.

With regard to the present glaciation of the Antarctic Continent, widespread and deep as it is, the observations both of the British and of the German expeditions indicate clearly that, if not actually receding at the present time, it was once much more widespread than it is now. It has already been pointed out that, since Ross's expedition, sixty years ago, the ice-barrier has receded

southwards some forty miles. Whether this has any relation to the shrinking of the ice-covering on land, one cannot say in the present state of our knowledge, nor whether the shrinkage of the ice on land is permanent, indicating the approach of a milder climate, nor whether it is simply a case of oscillation such as is found in other glaciated regions of the globe. The comparatively small snowfall, as observed by Captain Scott, may have some relation to this shrinkage.

When completely worked out—and that will not be until some considerable time has elapsed—the meteorological results of the recent Antarctic campaign, and especially of the British expedition, cannot fail to be of immense value, not only from the point of view of pure science, but in those practical applications of meteorology which have to do with the climatic condition of the globe. There have been accumulated, over two years, daily (in some cases, hourly) observations at the "Discovery's" winter quarters, besides those which have been taken on the various sledge expeditions. The trying conditions under which these observations had to be taken, it is difficult for those who live in temperate climates to conceive: and it therefore reflects the highest credit on Lieutenant Royds and the others who had charge of this department that the results have been so abundant and so satisfactory. Probably the lowest temperature on record was experienced, 67.7 degrees, Fahrenheit, below zero—that is, almost a hundred degrees of frost. On the other hand, a temperature as high as 42 degrees, Fahrenheit, was recorded, just about Antarctic midsummer. Hurricanes, the wind sometimes driving at 85 miles an hour, were frequent enough, but there were many days also of unclouded sunshine. The prevailing winds at the "Discovery's" quarters were east and southeast; west winds brought blizzards and storms; and, curiously, south winds, that is winds direct from the Pole, usually raised the temperature as much as 40 degrees. This some try to account for by maintaining that the sea extends right across the Pole to the other side; but, if so, it must be a sea which is practically permanently covered with ice. Lieutenant Royds, who has evidently devoted great care to the meteorology, is convinced that these south winds are of the nature of föhn, a type of wind rising from a low level over a high mountain region, thereby parting with its moisture, and descending on the other side as a dry wind with an increasing

temperature. This is a probable enough solution, though these south winds in the Antarctic generally brought snow. There were many displays of the Aurora Australis, but these were never so brilliant as those of the Aurora Borealis.

The meteorological observations taken by the British Antarctic expedition will be greatly enhanced in value when compared with those of the other three expeditions. Although the Scottish expedition was specially intended for oceanic work, its first task was to erect magnetic and meteorological observations on the South Orkneys, which, although somewhat outside the Antarctic Circle, are essentially Antarctic in climatic conditions. These observations have been at work ever since the beginning of 1903, and they will continue at work under the auspices of the Argentine Government; the results thus secured must prove of the highest service. Neither the Scottish nor the Swedish expedition (the latter in Graham Land) obtained anything like so low temperatures as the British expedition; 75 degrees of frost was about the lowest, while the highest temperature obtained by the Swedish observers — curiously, in August (midwinter) — was 48.74 degrees, Fahrenheit. The Swedish expedition fared much worse than the British party in the matter of storms, which were almost continuous and in many cases of the most extreme violence. On Graham Land the southwest winds are the most common and the strongest, and bring the worst weather, though, as a matter of fact, storms came with nearly every wind. At the station of the German expedition, easterly winds prevailed, as at the "Discovery's" quarters, while the southerly winds coming over the vast, uniform, but slightly inclined surface of the inland ice were also of a föhnlike character.

Perhaps, to many, the magnetic results obtained by the various expeditions will be more interesting than any other, dealing with a mysterious force of the real nature of which we are almost entirely ignorant. The magnetic observations made on board the various ships will, no doubt, prove of service to the navigation of the seas between South America, Africa and Australia, which hitherto has been fraught with danger owing to our ignorance of the factors which influence the mariner's compass in those latitudes. The expedition's magnetic work was of the first importance. The definite determination of the South Magnetic Pole is one of the great problems to be solved; but the

solution can only be reached when the hundreds of observations made daily are plotted and compared and coordinated and worked out by experts. But it is noteworthy that, when Captain Scott was on his western excursion, he found the compass one day point directly to the South Pole; this was in 156 degrees east longitude and about 78 degrees south latitude. This must mean that the South Magnetic Pole lies somewhere between the point of observation and the South Pole. One theoretical conjecture had placed the South Magnetic Pole about 112 degrees east. The great German physicist, Gauss, conjectured that it lay about 152 degrees east and about 73 degrees south, or about 20 degrees further east than the position assigned to it by Dumont D'Urville; while, according to Ross, it was in about the same longitude as that assigned to it by Gauss, but some three degrees of latitude farther south. From the observations collected by the various expeditions, all these conjectures ought to give way to certainty, and so a scientific point of the first importance be finally settled.

These, then, are some of the results which, at the present stage, we can say have been achieved by the various expeditions. The numerous photographs brought home — the British expedition alone has considerably over two thousand—and the exquisite water-color sketches, hundreds of which have been made by Dr. Wilson, of the scenery and life of the region, will give a fair idea of the outward condition, at least, of this still imperfectly known land. On all sides, except probably towards the south point of America, surrounded by the deep ocean, it is truly continental in character; broken up, it may be, into two great masses, though probably these are not entirely severed. The fossils obtained and the geological conditions observed may afford material for concluding whether or not, at a past geological period, the Antarctic continent was continuous with South America and extended as far as New Zealand, as has been boldly conjectured by Prof. J. W. Gregory; indeed, New Zealand has quite the appearance of a fragment broken off from South America. But these are only some of the intensely interesting questions suggested by the vast harvest of results secured during the recent international campaign in the South Polar area,—results which fully justify the expenditure of money and the endurance of great hardships. Happily, the loss of life has been comparatively small.

J. Scott Keltie.

THE GOTHIC IN THE CATHEDRALS AND CHURCHES OF FRANCE.

BY AUGUSTE RODIN.

I.

One of the first among foreigners to understand the ancient cathedrals and churches of France was Ruskin, as was Victor Hugo among his fellow-countrymen. Hugo had made no special study of the subject; but he understood through his great genius: he understood as a poet; for cathedrals are vast poems.

At the time he wrote, the Gothic art was considered in France as something barbarian; in fact, the epithet was applied to all that was Gothic. This error antedates the eighteenth century. Even in the reign of Louis XIV., Fénelon, and those with him who speak of the Gothic architecture, referred to it in disparaging language. What was more admired in the age of the great Louis and his successor was a town-hall of the style then modern. Many cathedrals and churches were roughly treated during those years, and the French Revolution did no more than carry on the work of destruction already begun.

If some one in authority begins to say that a thing is ugly, nearly everybody follows his example; and it needs a strong intelligence to uphold the contrary. Victor Hugo related to me that, when the Rue de Rivoli was being cut, that part of it which is beyond the arcades, between the Louvre and the Rue Saint-Antoine, had been originally designed to have another course, commencing opposite the colonnade of the Louvre and running from there in a straight line as far as the Place du Trône. Had this plan been carried out, the Tour Saint-Jacques, a fine specimen of Gothic sculpture, would have been demolished. Victor Hugo protested with such good effect that the original plan was modified, and the Tower was preserved.

I cannot say that, as a boy, though born in Paris, I paid much attention to the architecture of Notre Dame. Children do not know how to see. I remarked its great size, and that was all. Only when I was in full possession of myself, at the age of about twenty-five, did I begin to make a special study of its beauty, which was generally decried. To some extent, indeed, before I was twenty, my eyes had been opened while I was working for a sculptor named Biès, who had a good deal to do with the so-called "restoring" of Notre Dame. It was to him that Viollet-le-Duc once said: "Forget all you know, and you will execute something Gothic." The expression had its hidden meaning. Profound knowledge is needed to produce the real Gothic—a form which to-day exists only in the monuments of the past.

As I grew older and rid myself of the prejudices of my environment, I acquired more assurance and dared to see for myself. Whenever I travelled, I made it a rule to visit all the cathedrals I could. Even in a small town there is often a real cathedral. I used to awake early in the morning, and hasten to visit what for me were the chief objects of interest. And I remember that the spires and the various parts of these churches gave me an exquisite joy. I would linger and walk round them until I was thoroughly tired out.

II.

No architect or sculptor has ever been able properly to restore a Gothic church or cathedral. Those who have tried, essayed a task as vain as if one were to attempt completing a chapter of Rabelais in which a part was wanting. The new portion would not be like the old. Formerly, when Greek or Roman statues were discovered, the custom was to restore them. To-day, the custom has fallen into desuetude, and nothing is lost by it. The Italians, it is true, continue to repair their ancient monuments; but they only touch the parts that are falling to ruin; whereas, when we repair, we insist on restoring, and spoil the old in order to harmonize it with the new. In Italy, the old is still extant; and, notwithstanding the repairing, we are able to enjoy the admirable beauty of the whole.

III.

It is difficult to explain the Gothic; there is always something that escapes definition. Consequently, ordinary ideas on the subject are erroneous or incomplete. Many people talk of the Gothic

as if it were nothing but the predominance of the ideal over the material, or again of the idea over form. I consider the matter rather from the point of view of the execution. Another opinion is that the ogive constitutes the Gothic. This is also inexact. We might have Gothic architecture without the ogive. This style results from a long and careful experimentation on the effects of light and shade, and from the faculty thus acquired of giving to architecture a living, moving appearance. When I speak of light and shade, it is without reference to painting; I mean the rendering visible and perceptible certain geometrical points that make the planes of sculpture.

In order to have such effects of light and shade, there must be strongly projecting surfaces, arranged with due regard to their position in foreground and background. These were achieved with infinite art in the old Gothic cathedrals and churches, whose every part invariably stands out or recedes with a fine chiaroscuro. In the modern Gothic, however good the general design may be in outline, there is a lack of location in foreground and background, and the reliefs are shallow, holding no shadow, so that the details seem poor and cold. The superiority of the old will be at once apparent, if an ancient church porch is examined. It looks like a grotto or a cavern—architecturally constructed, of course. Certain of the figures that have been carved within it are bathed in light, others are shrouded in darkness, and others again show half-tints of chiaroscuro. Throughout the day, there is a continual change. While there are never more than a few figures in full view at the same instant, and the rest are either partially seen or divined, the sun's procession transports the effects from one side to the other, transposing them gradually between morning and evening in an animated panorama. Inside the edifice, there is the same impression of light playing amid deep recesses, but here we have candles replacing the sun's rays. Much more than the ogive, the grotto, the cavern, is essential to the Gothic, since by its aid is obtained a unique trituration of light, which comes back to the eyes with mysterious softness after penetrating into the abyss. Not that the architects of the Middle Ages necessarily wrought with a desire to produce something mysterious. This, like the other effects, was derived from the manner of their working, a manner present architectural sculpture is ignorant of or ignores. There is plenty of relief in

the modern style, but the relief has no life. Whether the buildings be church, chapel or synagogue, they are ugly and cold to look at.

IV.

The good Gothic style appears in churches and cathedrals built during the four or five hundred years that lie between the eleventh and sixteenth centuries. Indeed, it can hardly be said to terminate with the Renascence; for our Renascence is still a Gothic style, which we wrongly call Renascence, and is, in reality, a marriage of the Gothic with the Greek—virtually, all is Gothic, but the details are finished in the Greek manner. Nearly all Renascence churches are good examples of this mingling of the two styles. In Paris, for instance, there are Saint-Eustache and Saint-Etienne du Mont. The latter, which is both fine and beautiful, is a Renascence of Henry the Fourth's period. Tonnerre also possesses two Renascence churches, one of which has been restored and spoilt, while the other remains as it was first designed. Under the Revolution it was damaged; but the plan is, nevertheless, intact.

Among the purely Gothic edifices it is difficult to assign a preference, except on the score of some particularity. And they are full of such. No two are alike. At Chartres, the cathedral has two spires; one of them soars straight up without mouldings; the other is ornamented; and the contrast is a piece of admirable artistic effect.

In fact, art exists only by oppositions, Gothic art especially. That is to say, if you have something ornamental, you must have beside it, as a foil, something simple. In Gothic churches, this is always the case. Notice the towers; in the lower portions, they are huge masses of stone, whereas, above, they flower like plants. If Notre Dame at Paris is looked at sideways from the proper standpoints, this can be easily verified. In the environs of Paris, there are numbers of old churches that illustrate the Gothic, the Abbey of Saint-Denis for one. It has been restored; but the grand outlines have not been touched; and, at the distance permitting them to be appreciated, they stand out splendidly. The whole structure is like a child's drawing, a simple yet beautiful drawing of the kind some children know how to make. It is a house with a steeple at the side. At Pontoise, the church has some exquisite details. In the midst of the portal, there is a

small edicule of the Greek Renascence order; it is charming. At Etampes, Dreux, Evreux, Caen, there are edifices equally remarkable. The finest church at Caen has been restored. It was Renascence Gothic. Now it is heavy. The churches at Troyes were superb; but, since their restoration, the beauty has disappeared. At Sens, there is an exceedingly fine specimen of the Gothic. At Nevers, too, the churches are remarkable.

Our French cathedrals are superior to the English and German ones by the greater sculptural expression displayed in them. In this respect, they are second to nothing outside antique Greek architecture. The German Gothic is characteristically hard. The cathedrals at Strasburg and Cologne exhibit this defect, but, like that at Milan, more on the exterior than in the interior. The interior of the Cologne edifice is very fine, and yet the structure as a whole does not possess that supreme art for lack of which the largest cathedral appears smaller than a small church which has it. Antwerp cathedral is very beautiful, more beautiful than Cologne. Its spire is a veritable crown; soaring, as it does, into the air, it is glorious to behold. At Malines, the church is likewise beautiful; its ornamentation, however, is somewhat poor, the depth of its relief not being sufficient.

One vantage-point from which to behold a Gothic cathedral is, at a distance from it—two or three kilometres from the town. At this distance it seems enormous, magnificent, imposing; all the other buildings of the town shrink into nothingness. The mass of the structure is in straight lines, but so ornamented that the straight line seems to bulge and fill out, which gives to the whole flexibility and richness.

V.

The architects who raised these edifices were endowed with a consummate knowledge of effect. They would appear, indeed, by the works they have left to have been acquainted with every science. It is the greatness of them all, perhaps, which has prevented their names from coming down to posterity. There are, of course, legends about them. Scholars claim to have discovered the identity of some. But, in fact, while handing on to us the purest and best of themselves, they remain anonymous. At most, we may presume that, in the figures they have carved, there are portraits of many designers and workers. It was only at the Renascence that names began to be attached to the masterpieces of

sculpture. At that time, Philibert Delorme, Jean Goujon, Jean Cousin and others succeeded in perpetuating their fame. At present, if any one travels in France and sees a fine figure carved somewhere—on a tomb, may be—he is told that Jean Goujon or Jean Cousin carved it, simply because nobody knows who carved it; and as the artist's name has perished, it is these later sculptors who get the credit.

VI.

In commencing to study the Gothic, it matters little where the starting-point is. The chief thing is to humble one's self and become a little child, to be content not to master all at once, to be obedient to what Nature can teach, and to be patient through years and years. The study grows easy enough in time. At first, of course, the comprehension is embryonic; you visit one and another edifice; you divine a part of their value, and with each new experience, the comprehension increases. A mind capable of analyzing and coordinating will ultimately succeed in understanding. If to-day there is such a lack in this respect, the cause lies in the neglect of those great qualities of art that are more than originality, and are born from the love which inspires the work.

In one direction the Gothic sculptors surpass the Greek. The Greek temple is the same everywhere, and similarity, identity, is not a culminating quality of art. Life is made up of strength and grace most variously mingled, and the Gothic gives us this. No one church resembles another. Between the churches of one part of France and another, differences exist on a very large scale. The cathedrals of Champagne contrast with those of Burgundy, those of the North still more with those of the West.

To explain why these differences are found is difficult. The race and soil are probably a partial factor. The sky also may have had its influence. The Romanesque style which immediately precedes the Gothic is ordinarily sombre; and yet, if one goes to the banks of the Loire, it will be seen to be as luminous as that of the Renascence. The sombre note prevails most in the north of France, but it is felt also in the south. This Romanesque is the style of the first kings in the sixth and seventh centuries, and persists to a considerably later period. The mixed Renascence and Gothic, which at Rouen is rather hard as well as rather dark,

assumes in the Loire Valley an infinite splendor. At Chambord the Castle, which I saw before it was restored, was then a structure of marvellous grace and full of light.

In the natural transformation of the Gothic, whatever changes were made took place under the twofold dominating preoccupation of subordinating every detail to the whole effect, and of giving to each detail a depth of finish that produces softness in the mass. This principle is carried out in the smallest thing as well as in the greatest. The tiniest leaf is perfectly chiselled and has its own importance as well as its proper place in the mass. In the Flamboyant style, for instance,—a development that came about during the sixteenth century,—there is none the less simplicity on account of these qualities. Wherever a cathedral strikes the eye as being cold and hard, there is lack of seriation in the details. They stand out by themselves too much on the same plane; and then, even though the values are equal, they do not contribute what they should to the effect of the whole.

The Gothic style itself is a natural outgrowth of the Roman. It is the Roman raised and magnified. When once adopted, it spread throughout Western Europe, the result being an architectural aggregate, the like of which had never been seen before, and perhaps will never be seen again. And the terrible thing is that our restoring of cathedrals is a quick way of destroying these masterpieces. If the Greeks, or afterwards the Romans, in their decadence, had destroyed the Parthenon, we should have known nothing of the veritable grandeur of its builders. In France, there are a considerable number of Gothic churches which have been left alone, because they were not marked on the list, money not being forthcoming for the work of restoration. One of the churches at Tonnerre is an example; the cathedral at Beauvais is another, and one of the finest. This cathedral has no steeple. At a distance from the town the back of the structure can be seen, looking like a living giant.

It is worth noting that the architects of the Middle Ages did not aim at regularity in their edifices, which are often dissymmetric. Sometimes even, the nave is not in the axis. And yet the entire building is beautiful by the very opposition of its values. The fashion now is to speak slightingly of such productions, to apply to them the term "naïve." The word so used indicates inability to grasp the perfection of their execution. A similar affecta-

tion is that which asserts Greek art has no life in it. On the contrary, for those who have eyes to see, Greek art is all life, but so naturally expressed that ordinary intelligence is apt to pass it by unheedingly. In art we are becoming more and more ignorant, in a century, too, which thinks it possesses great critical power.

The material out of which the ancient Gothic cathedrals and churches were built was a stone curiously small-hewn. Its color varies a little in the different provinces of France, but it is largely gray, or grayish-white. Burgundy stone shows rather more gray, Alsace more tendency to red. In Auvergne rows of black stones are mingled with the gray mass, which is a practice also existing in Italy. It is possible that the kind and color of the stone exercised a certain influence upon the construction; but, in general, Gothic architecture does not seek effects of light by mingling varieties of stone. More exactly, one might say that in the Gothic everything is added for the sake of the monument. In fact, we return to the chiaroscuro previously mentioned—the sculptural expression being the structural expression.

The real home of the French Gothic is the centre and the north of France. It reigns besides in the east, in Burgundy; and it may claim to take in Belgium and even a little of Holland. The Gothic of the south never advanced far beyond the Romanesque. That of Brittany is a trifle heavy and not so fine. In the direction of Poictiers and Angoulême, the style has mostly remained Romanesque, but of a special and admirable kind. I might, indeed, say that it is more Oriental and almost Byzantine. To tell the truth, the Romanesque, lying as it does between the Roman and the Gothic, frequently has in it something of one or the other; and, in particular, there is a period in which it is difficult to say whether the style is Romanesque or Early Gothic. What is easier is to distinguish between the Greek and the Gothic. Both possess to a superlative degree that peculiar reflection of light and shade, due to the sculptural planes, of which I have spoken above. But in the Greek there is more trituration of the light; in the Gothic, more trituration of the shade; or, again, one might put it, the Greek models light, and the Gothic models shade.

It would require a series of photographs or designs to make these distinctions quite evident. I have them all photographed in my memory, a method which is not very convenient for reproduction. A few notes and drawings are my only graphic

representations; but as I have never learned perspective, my drawings often wobble. This defect in my education often troubles me in my architectural designs, for perspective is a useful science, albeit landscape-painters sometimes neglect it. In sculpture there is less need for it, unless in making bas-reliefs with a distant background. What I know of perspective is by instinct. When I was young, I had an antipathy to geometry, believing it was a cold science that hindered enthusiasm. I have had perforce to acquaint myself with it, since all I do is based on geometry. Life itself is geometrical, a truth I only came to recognize later. The geometry I practise, however, is a geometry of my own,—which is, no doubt, pretty close to the other. I am like the peasant that does not know arithmetic. He reckons in a way peculiar to himself.

VII.

To say what has been my own progress in the study and comprehension of the Gothic would be in detail impossible for me. The study has unquestionably influenced my sculpture, giving me more flexibility, more depth, more life in my modelling. This can be seen in my figures, which have become more mysterious, owing to the more perfect chiaroscuro. Not that I could point in particular to one or another of my productions as an instance of the modification. The influence has entered into my blood, and has grown into my being.

VIII.

The Gothic is not the Gothic because of the period in which it was developed, but because of the manner of seeing of the period. You enter a cathedral. You find it full of the mysterious life of the forest; and the reason of it is that it reproduces that life by artistic compression, so that the rock, the tree—Nature, in fine—is there; an epitome of Nature. It is a mistake to imagine that the religious conceptions of the time were able to bring forth these masterpieces, any more than the religious conceptions of today are responsible for the ugliness of our modern structures. The ancient edifices gained their beauty through the faithful study of Nature practised by the Gothic sculptors. Their only ideal was the vision they had of her; quite as much as the Greeks, they drew from her all their power; and, in like manner, I find my inspiration in my model. The charm of the subject comes from that. I am opposed to the doctrine which holds that the

idea leads, that it ennobles the work. I believe rather that it is the strength resulting from labor which adds to the idea. Of itself, our idea is poor. This theory may seem commonplace; but, at any rate, it better explains the hundreds and hundreds of splendidly artistic buildings—churches and abbeys as well as cathedrals—that came into existence during the Gothic period, many of them hidden away in country nooks which need exploring for these treasures to be discovered. Compared with similar Italian edifices they are much superior. In fact, the Gothic in Italy is less developed, too, as regards the number of its buildings. There, painting and sculpture have been more separated from architecture, and exist more for themselves; especially worthy of mention are the painted windows and tapestry. In France, also, there is no lack of beautiful windows and tapestry; and what adds to the value of them is their being really part of the Gothic interior they adorn. Ruskin has written well on these things; I believe it was his book which brought so many English-speaking people to visit them. We have writers of our own to-day, Huysmans among others, who introduce descriptions of them into their literature; but one does not get much benefit by reading them. A visit to the church is more profitable, or, failing this, to a museum like the Trocadero, where plaster reproductions of some fine specimens of Gothic architecture may be seen. The stained-glass windows painted in recent times make little or no impression on us, because the tones are false. Those of the Gothic period raise one to the heavens. They are copied from the flowers of the field, not from imagination; and the men that painted them pored over the tints and shades of the plants and blossoms they had under their eyes, until they had succeeded in reproducing them exactly as they saw them. I insist on this point, for it is Nature that is celestial. They who give us windows now proceed in another way.

In order to reform our present stereotyped methods of art, we want a second Renascence. For a long time I hoped that in a near future this might be; but I have ceased hoping to-day. It would require a catastrophe capable of overturning and changing everything. Of course, I am speaking of what is likely to happen in the next twenty-five or fifty years. Life is eternal; and, sooner or later, things must alter for the better. But so far, in our modern architecture, I see nothing that gives encouragement.

We have intelligent men who are sufficiently educated. They copy everything; they ferret out the style of Nineveh, as well as the styles of Louis XIV and Louis XV; but what they produce is without soul, without art, and is insignificant. They repeat, but only as the parrot does. For long years, we have done nothing but turn out from our colleges young men stuffed with useless scientific lumber; and they very quickly lose it all, and there is nothing to take its place. This is not to be wondered at when throughout Europe there is such a neglect of art in our education. It may be replied to me that the inventions of science compensate for the deficiency; but these inventions are almost exclusively, if not quite, a mere increase in the power of the bodily senses and faculties; the telegraph in that of the tongue, the telephone in that of the ear, the railway in that of the legs, the photographic science in that of the eye; and these inventions leave in ignorance the more intellectual part of the individual. Your portrait can be taken, your voice boxed up; this is extraordinary; but the soul which commands, the god which is in the head, is forgotten.

And yet the means for altering this state of things is near at hand, is beneath our eyes. We have still the same Nature that inspired those anonymous sculptors to give us the Gothic; we still have a sufficient number of Gothic masterpieces intact—so many epitomes of Nature, as I have said—to show what can be done by the man who starts with his vision open to her teaching.

I make no fetish of the Gothic sculpture. I do not claim for it what it does not possess. A contrast to the Greek,—a complement of it—inferior to it in some respects, superior to it in others, it is one of the most wonderful phenomena that the genius of our race has manifested. And if we are to advance in art beyond the stationary position we occupy at this moment, we shall only do so by a thorough comprehension and appreciation of the beauties and qualities that are peculiar to it.*

AUGUSTE RODIN.

* Dictated by M. Rodin to a stenographic reporter, and translated from the French by Frederick Lawton, M.A., author of the "Life and Work of Auguste Rodin." (Grant Richards, London, 1904.)

SHOULD COLLEGE STUDENTS STUDY?

BY CHARLES F. THWING, LL.D., PRESIDENT OF WESTERN RESERVE UNIVERSITY AND ADELBERT COLLEGE.

A COMMITTEE of the Faculty of Arts and Sciences of Harvard University recently made a report regarding the amount and the quality of the work done "in satisfaction of the requirements for the degree of Bachelor of Arts." Among the conclusions reached by the Committee is, that "the average amount of study" is "discreditably small."*

The basis of this conclusion lies in the replies made by no less than seventeen hundred and fifty-seven students to letters of inquiry sent by the Committee. The replies indicate that the average amount of work done by the undergraduate in a course which represents three hours of lectures or of recitation each week is less than three and a half hours a week outside the lecture-room. The usual studies taken by the Harvard student represent four courses of three hours each a week. In preparation for the duties involved in each of these four courses of three hours each, every man, on the average, spends about three and a half hours. In other words, the ordinary student, in addition to twelve hours spent every week in the presence of the instructor, gives fourteen hours to study. Twenty-six hours, therefore, each week, represent the formal scholastic labor of the student.

The figures concerning the more than seventeen hundred men show that a few spend not over one hour a week in preparation for a course of three hours, and that a few devote to preparation between seven and eight hours. The lower extreme is covered by twenty-one, and the upper by twenty-nine, students. The number who spend between one and two hours is forty times greater than the number who spend not over one; and the number who spend be-

* "Harvard Graduates' Magazine," June, 1904, page 619.

tween two and three hours in preparation for a course is about three times the number of those who spend two hours or less. The men who devote from five to six hours to a course are somewhat less than one-half those who spend less than two hours.

The comment of the Committee upon this condition is significant: "Such an amount of work the Committee regards as far too small. That there is intellectual activity in Harvard College no one who knows its students can doubt; and, in spite of many interests besides study, much of this activity is exercised in college work. Yet it is clear that a great many undergraduates do not study so much as is necessary for the full benefit of a college education."

The conclusion and the commentary are impressive. Harvard College has come to be generally recognized as having secured a leadership in American education. At the last Commencement, her great President said: "Harvard University has already a perfectly secure past. That, gentlemen, is a treasure laid up where neither moth nor rust can corrupt. The *past* is safe. Again, the present is sure; we need not for a moment imagine that the influence of Harvard, its power over the young men, its power in the community at large, is diminishing or to diminish. The present, too, is safe. This *is* the first university of the land, and we say unanimously we mean it shall stay so." The question, therefore, is somewhat significant, whether, under the condition which, in the opinion of Professor Briggs, chairman of the Committee, and of his associates, obtains at Harvard College, it will be possible for Harvard to maintain that intellectual and scholastic leadership which now, by common consent, belongs to her.

Yet, be it said, the situation at Harvard is more open to defence than the statement of the Committee would seem to allow. For it is easy to argue that college represents opportunity, as well as duty. Men who go to college at the age of eighteen, and who receive high intellectual training for three or four years, ought to have wisdom enough to know what they want, and strength enough to get what they want, from such conditions as Cambridge embodies and offers. If these men want the education which is derived from hard intellectual toil,—the education of thinking,—they ought to have a chance to get it. If they want the education which is the result of large and general learning,—the education of culture,—they should also find the doors of knowl-

edge open to them. If they want the education which comes from the administration of undergraduate activities,—the education of efficiency,—they should and do find in the complex academic life occasion and methods for securing it. If they want the education which follows from associations "steeped in sentiment," and from conditions which "whisper the last enchantment of the Middle Age,"—the education of intelligent gentlemen of leisure,—then, by all means, they should have the opportunity of getting *that*. Does such an education, the education of intelligent gentlemen of leisure, prevent the giving to other men or the getting by other men of the education either of thinking, or of culture, or of practical efficiency? Would not the debarring of such men of general intelligence and of leisure from the college be evidence of narrowness in those who would set up such limitations, and would not such a method prove to be a cause of intellectual poverty in the community?

For it may still be suggested that the college means far more than books, lectures, recitations, study. College is, as Professor F. H. Hall, of Harvard, has said, "a place for high aims, high opportunities and high spirits. It is a place for work, but also for freedom, for association, for good-fellowship. Songs do not originate in professional schools. Coming between the long drill of school and the long warfare of professional life, college is peculiarly the place for elasticity of mind, for election, for growth of purpose."* Are not these conditions and forces of tremendous worth? Has a college a right to deny them to men who will make good use of them?

Are not these intimations, furthermore, rendered yet more impressive by the conditions which obtain at old Cambridge, at Oxford, at Berlin and at Bonn? Are not these universities only opportunities? Do they oblige any man to toil? Are they not the embodiments of scholastic liberty? Do they not give, or seek to give, what each wants? Do not the English universities give freedom, even if they do not give science; and do not the German give both freedom and science? If one wills to think, to think is the privilege they offer. If one wills to be stupid, "accumulated libraries leave us leisure to be dull," as Hazlitt says. If these youngsters choose to be "young barbarians all at play," they need not go far for sport. Is Harvard, or any other world-wide Amer-

* "Harvard Graduates' Magazine," March, 1901, pp. 334, 335.

ican college, to step aside from the great traditions of the Cam, the Isis and the Rhine?

Such, therefore, are some of the considerations which might be urged in behalf of the right of doing a "discreditably small" amount of work which, it is said, obtains in what is commonly acknowledged to be our greatest American university.

But the arguments for the proposition that it may be well for Harvard to step aside from the great traditions of England and of Germany, and to adopt certain other traditions, which also obtain in certain quarters both in Berlin and at Oxford, are yet stronger. For it may be declared with the utmost earnestness that the college is set not to give men of eighteen or of twenty years of age what they want, but what they ought to want. It is set to satisfy right desires, if they do exist; it is also set to create worthy desires, if they do not exist. For many men of twenty are, as Matthew Arnold says, "young barbarians." Young barbarians neither know, nor wish to know, what civilization is. The barbarianism is in them and it has to be eliminated. Is the college not ordained, in such a case, to reach down to the callow man, or to cause that man to reach up unto itself, and in reaching up to find himself becoming less callow and more of a man? Is it not founded to save men from themselves? If men be indolent, is it not to show them the joy of labor, to reveal to them the opportunities of work, and to impress upon them the obligation of hard service? If a man is inclined to be content with an education which consists simply of intellectual conditions and which is not impressed by intellectual forces, is the college not to seek to quicken him by the revelation of the highest ideals of character and of power? Does not the individual himself lose by refusing to regard the college as a place and method for training in thinking? Does he not become less of a man through failing to enter into the richest life of humanity, which life is, primarily, a life of intellect and of spirit? Does not the college increase and broaden the lines of least resistance to immoral indulgences for a man whose intellect she neither instructs nor disciplines? Some men of fifty would say that their college had not dealt fairly with them, if, receiving them at the age of twenty as her students, she had failed to oblige them to read the best books about the best things, and to give hard thinking to hard subjects. Lord Rosebery, speaking at Oxford recently, lamented the wasted opportuni-

ties of his own university career, and denounced the temptations to idleness which beset the Oxford man of to-day.

It is to be remembered, moreover, that the college is a trustee for the higher things of American life. John Morley says, in his great "Life of Gladstone," that the "connection between the higher education and the general movement of the national mind engages his profound attention, and, no doubt, deserves such attention in any statesman who looks beyond the mere surface problems of the day." The "connection between the higher education and the general movement of the national mind" is quite as intimate in America as in Britain. In a world ravaged by intellectual and ethical evils the college is a training-school in thinking and willing, for men who are called to aid in the struggle to put an end to these evils. The college is an experiment station where theories may be discussed and applied. If the theories prove satisfactory, a wider application is assured; if the theories prove to be a failure, little harm results. The college is a *standardizing* power or process in which principles may be examined and rules tested for use in the complex conditions of the world's life. It is set to train men, men of largeness, of clearness of vision, of purity, of strength, of honesty, of appreciation of the beautiful. Such men are not made by a quiet dwelling in the home of "lost causes," of "forsaken beliefs" and of "impossible loyalties." Out of great struggles great men are born. Tolerance, courage, patience, power of observation, judgment, honor, noble purpose, are among the qualities which are both cause and result of hard and constant labor. Such are the elements which constitute a great nation. The college is a trustee for the nation, and should train its men to work and to work hard.

Thus, therefore, not a little may be urged in favor of permitting college men to work three or four hours a day. But more, very much more, may be said for their working at least six or eight hours a day. Going to college and working little is good; going to college and working much is better, very good. One needs simply to consult and follow the laws of value. First things are to be made first, and secondary things are to be made second. The college student should, indeed, be other than a student. But he should, at least, be a student, and a hard one, too.

CHARLES F. THWING.

RAILWAY RATES.

BY W. MORTON GRINNELL

AMONG the statistics published by the Bureau of Labor, the following table shows the increase in the price of the chief commodities and in railway rates from 1899 to 1902: 100 representing the average price of commodities from 1890 to 1899:

Railway Rates.

	1899.	1902.	Advance.
Passenger	93.9	96.8	2.9
Freight	86.3	90.2	3.9

Prices of Commodities.

Farm products	100.0	130.5	30.5
Food, etc	98.3	111.3	13.0
Cloths and clothing	96.7	102.0	5.3
Fuel and lighting	105.0	134.3	29.3
Metals and implements	114.7	117.2	2.5
Lumber and building material	105.8	118.8	13.0
Drugs and chemicals	111.3	114.2	2.9
House-furnishing goods	95.1	112.2	17.1
Miscellaneous articles	97.7	114.1	16.4
All commodities	101.7	112.9	11.2

The comparision is still more striking when the year 1898 is taken, and the list of commodities confined to those entering chiefly into railway construction, maintenance and operation:

Railway Rates.

	1898.	1902.	Advance.
Passenger	96.2	96.8	0.6
Freight	89.7	90.2	0.5

Prices of Commodities.

Fuel and lighting	95.4	134.3	38.9
Metals and implements	86.4	117.2	30.8
Lumber and building material	95.8	118.8	23.0
Miscellaneous articles	92.4	114.1	21.7
All commodities	93.4	112.9	19.5

The tables are interesting as showing that, while the prices of all commodities have advanced, on an average, 13 points, and fuel, metals and lumber 25 to 35 points, railway rates have only advanced fractionally. There is, however, the further and most important factor in the case, that of labor. Statistics show that the average wages of railway employees have increased quite fifteen per cent. since 1898.

As concrete examples of the position of the railroads, with respect to the increased cost of labor chiefly, we have the last annual report of the Pennsylvania Railroad. This road is the oldest, the most conservative (in spite of its recent departure from its traditional policy), and the most liberal towards the public and its employees.

The organization of the Pennsylvania Railroad Company, as it is popularly known, is very complex, consisting, first, of the roads operated north and east of Pittsburg, *i. e.*, the Pennsylvania Railroad Division, the United Railroads of New Jersey Division, the Philadelphia and Erie Railroad Division and the Buffalo and Allegheny Valley Division; second, those operated indirectly; and the lines west of Pittsburg, which are operated by the Pennsylvania Company. As showing the proportionate increase in the cost of labor on the lines east of Pittsburg operated directly by the company, I give a few statistics:

Pennsylvania Railroad Division Increase for 1903 over 1902 in wages paid:

Enginemen and firemen	$369,799 15 or 9%
Roundhousemen	166,988 82 or 17%
Locomotives, fuel for	1,112,504 60 or 25%
Conductors, baggagemen, and brakemen	229,087 37 or 6%
Yardmen	346,495 84 or 17%
Switch-tenders and signalmen	76,725 75 or 13%
Watchmen	27,019 99 or 11%
Station agents and clerks	152,340 23 or 13%
Station labor	102,905 08 or 10%

United Railroads of New Jersey Increase for 1903 over 1902 in wages paid:

Enginemen and firemen	$154,143 58 or 13%
Roundhousemen	23,743 58 or 10%
Locomotives, fuel for	438,693 23 or 22%
Conductors, baggagemen, and brakemen	121,068 41 or 12%
Yardmen	112,624 25 or 10%
Watchmen	14,454 47 or 5%
Station agents and clerks	99,840 93 or 10%
Station labor	87,602 66 or 4%

Philadelphia and Erie Division Increase for 1903 over 1902 in wages paid:

Enginemen and firemen	$125,320 00 or 20%
Roundhousemen	29,157 00 or 23%
Fuel	304,000 00 or 35%
Conductors, baggagemen, and brakemen	122,000 00 or 22%
Yardmen	88,700 00 or 25%
Station agents and clerks	295,000 00 or 28%
Station labor	20,000 00 or 15%

While the increase in equipment would necessitate a larger number of employees, this proportion is relatively small, much the larger part consisting in higher wages paid to old employees.

The annual reports of the Illinois Central and the St. Paul Railroads show the same condition of affairs. The increase in operating expenses of the Illinois Central for the year ending June 30th, 1904, was 9.91 per cent. or $2,957,000, of which advances in wages represented over 40 per cent., while the St. Paul shows an increased cost of $737,064 in labor alone, and in material and supplies of $1,400,000.

We see, therefore, that in one year the increase in the cost of labor is about 10 per cent. in the Pennsylvania, and in the Illinois Central and St. Paul nearly as much.

Thus, since 1898, the railways have been obliged to pay from 15 per cent. to 50 per cent. more for labor, fuel and all materials which they use, while their rates for passengers as well as for freight have advanced but fractionally, and are much lower in this country than in England, France or Germany, although labor and most materials are much higher here.

In this connection it is interesting to read what Mr. Priestly, the expert English authority, has to say:

"The present prosperity of the United States of America is, in no small extent, due to the low rates charged for transportation. This prosperity has reflected itself in an increase of wages all round, which, in its turn, has increased consumption and consequently production. These high wages are not due to the necessaries of life costing the laboring classes in America more than they cost the same class in England. It is only the style of living which is better. At the back of it all there is, no doubt, the Protective Tariff; but that would have availed little without the cheapening of the cost of transportation. . . .

"In India, pooling and the territorial division of traffic are permitted, and railways are not only allowed, but are encouraged to protect themselves against competition. American railways enjoy no such protection (any act which tends to restrict competition is illegal), but have been

left to work out their own salvation as best they could. They have consequently been obliged to devote their efforts to reducing the cost of transportation, and the great bulk of the traffic can now be carried at rates which, a few years ago, were held to be impracticable and spelt bankruptcy. . . .

"Previous to the lowering of the rates by competition, consumption of many commodities was confined to a limited class of people, and to that class in a limited quantity. The lowering of rates not only brought these commodities within the reach of a wider class of consumers, but enabled the previous consumers to increase their consumption.

"To restore the railways to solvency, it was not possible to put up rates, even if this had been desirable with the experience before them, and the railway officials were forced to devise methods which would permit their carrying the traffic at these low rates and at the same time earn a dividend for the stockholders. The alert American mind was not long in devising those methods, and to-day railway rates for goods traffic, judged as a whole, are lower in America than in any other country in the world. . . .

"They (American railway men) have managed to do what no other country in the world has done, and that is, carry their goods traffic profitably at extraordinarily low rates, notwithstanding the fact they pay more for their labor than any other country."

The whole history of the railway industry is the story of a wonderful evolution. In its infancy, all communities were so anxious to profit by this new method of transportation that franchises, lands, and subsidies were lavished upon any group of individuals who would build a road; while, when the road was built, any rates which it charged were cheerfully and willingly paid. Human nature would be more than human if it waved aside the franchises, privileges and money thrown at it; and, while the better and more far-sighted men exercised some moderation and rendered the best equivalent possible in services for the advantages received, the more unscrupulous secured every advantage, every privilege and all the money possible, and rendered as little in return and at as exorbitant a price as possible. These were the golden years for promoters, construction companies and builders of railways, and expensive ones for the public; who, however, comparing the new with the old methods of transportation, willingly paid the heavy charges laid upon them and, nevertheless, made money and prospered. There were two great periods of this feverish and reckless railway-construction: from 1845 to 1857, and from 1866 to 1889, with varying intermissions, until the inevitable reaction began. Railways had been built far in excess

of the needs of the country, competitive lines were established where no necessity existed, rates were made as heavy as the traffic would bear, in order to bolster up useless and unprofitable lines and pay large dividends to the stockholders of better ones, and the old gratitude and friendliness of the shippers and the general public gradually changed into a deep-seated hostility.

Partly to blame for this condition of affairs was the hugging of the fetish of competition, unrestrained and *à outrance*. This false economic theory, ingrained in the minds of most men, frequent unscrupulousness in taking advantage of the craze of all communities for railroads and more railroads, and the credulity of the public in believing that any and all roads, in any section of the country, were gold-mines in another form, all led to the inevitable periods of disaster, receiverships and reorganizations, which occurred with every period of depression, until in the decade 1890-1899, even many of the oldest and best roads were subjected to these drastic processes.

In 1895, '96 and '97 more than seventy per cent. of the capital stock of the railroads in the United States paid no dividends, and more than fifteen per cent. of the funded debt paid no interest. At the end of this period, most of the inflation which had existed in many roads had been adequately punctured, and the bonds and stocks represented very generally money invested in the railroads.

Chastened as they were by this long and trying experience, and having learned a few economic truths, the managers were prepared to perform their duties to the public in a different spirit and manner from that which had hitherto generally prevailed; but the hostility which had become so general could not be immediately transformed into good-will.

Hostile legislation had been everywhere enacted, not only hostile, but irrational; taxes were increased and new ones levied.

The attitude of animosity which the Interstate Commerce Commission has assumed towards railroads is a reflection of that which has prevailed for many years—almost a generation—among the public. It should not, of course, exist in a *quasi*-judicial body, but as the composition of the Interstate Commerce Commission is affected by the usual political reasons, it is not unnatural that it should, consciously or unconsciously, represent the animus of its creators. This sentiment of hostility towards railroads, fortu-

nately decreasing, would probably disappear with a fuller knowledge by the public of the railway industry.

Whatever the failings of the great railway managers are, they cannot be accused of stupidity, and they have learned the lessons which, in the earlier period of railways, managers might be excused for not apprehending: that harmony aids and friction retards progress; that unrestrained competition is as destructive as other warfare; that railways can only prosper with the prosperity of the country through which they pass and of the country at large; that large traffic at low rates is preferable to less traffic at high rates; and that railroads are *quasi*-public corporations and owe a duty to the public.

That the Interstate Commerce Commission, instructed by the frequent overrulings of its decisions by the Supreme Court, has endeavored to examine more fairly into the propriety of increases in railway rates is evident from the report and opinion of the Commission *in re* advance of freight rates, in the case decided on April 2nd, 1903; as is apparent, also, their utter inability to cope with the subject. In this very important case the following roads were represented: Michigan Central, Lake Shore, Pennsylvania, Baltimore & Ohio, Wabash, Erie, New York Central, Southern and others.

With regard to the contention that, as the prices of all commodities and of labor have advanced, the railroads are justified in advancing rates, the Commission had this to say:

"The second reason is, that they should be allowed to increase their revenues owing to increased expense of operation. The whole claim stated upon the hearing, in varying forms, comes briefly to this: The present prices of commodities are high, therefore they can pay a higher freight charge. Times are good and railroads should share in the general prosperity; but high prices of materials and labor add to the expense of operation, and gross revenues must therefore be increased.

"Plainly the character of the question thus presented is entirely different from that of questions previously considered. It is no longer a question of what the traffic will bear, but rather of what the public should bear. Conditions are such that this rate *can* be advanced as between the people who pay it and the stockholders who receive it. Is the advance right? Every question as to the reasonableness of a rate may present itself in two aspects. First, is the rate reasonable estimated by the cost and value of the service, and as compared with other commodities? Second, is it reasonable in the absolute, regarded more nearly as a tax laid upon the people who ultimately pay that rate? The considerations

which determine the first of these aspects are of but little weight in determining the second, which we have now to consider.

"Every such inquiry involves the idea of some limit beyond which the capital invested in railways ought not to be allowed to tax other species of property. What is that limit, and how can it be fixed?"

It is a matter of common notoriety that the Post Office Department, which costs the public several millions a year in addition to the "tax" represented by stamps, could be run at a profit by a private corporation and the third and fourth class matter carried free, and so with all other departments of government, whether Federal, State or Municipal.

The question of governmental ownership is not, of course, entertained by serious men; although it is a favorite panacea of theorists, socialists and cranks whose heroic efforts and propaganda are usually coincident with some new and fresh scandal in a Government department.

Adequate but scientific supervision of *quasi*-public corporations, however, would be welcomed by all the better class of railroads, whose only complaint is that the Interstate Commerce Commission does not represent this type. A purely political body occupying a nondescript position, it has neither the power nor the knowledge to do effective work. Its crude conclusions are usually reversed by the Supreme Court, but that is a long way to go for a decision on rates, and the complexity and technicality of the issues involved put an unnecessary burden upon that body, and one which it should not be called upon to perform.

In the Michigan Central case, for instance, which involved a most important principle, *i. e.,* whether a railroad was not justified in appropriating a portion of its earnings to the betterment of its property, which (the rates being admittedly low) would seem to affect only the stockholders, the Interstate Commerce Commission reasoned as follows:

"But it may be urged that after paying its fixed charges, taxes and dividend out of its net income for the year 1902, it had left but a comparatively small amount. That year was one of prosperity, and it can hardly be expected that conditions will continue without interruption as favorable. Ought not a railway to be allowed to accumulate, in some form, a surplus during fat years which may tide over subsequent lean years? To this we would unhesitatingly answer in the affirmative. In times like the present a railroad company should be allowed to earn something more than a merely fair return upon the investment; but we

also think that it clearly appears that the Michigan Central is doing this.

"Within recent years this railroad, in common with many others in the United States, has been extensively improved. Grades have been eliminated, curves reduced, wood bridges replaced with those of iron and stone, station buildings rebuilt, equipment of all kinds greatly added to. All this has been rendered necessary, partly by increase in traffic and partly by the desire to handle this traffic in the cheapest possible manner; and it adds very materially to the value and the earning capacity of the property. Now, in so far as these outlays are reasonably necessary to keep the property up to its former standard, or perhaps to even a higher standard of operation, they are properly a part of the operating expenses of the road, but when they add to the earning capacity of the property, and therefore to its value, they are in the nature of a permanent improvement. Assuming that the stockholder is only entitled to exact from the public a certain amount for the performance of the service, he clearly has no right to both receive that amount in dividends and add to the productive value of his property. The policy of the Michigan Central has been to make these improvements, not by adding to the debt or the capital stock of the company, but out of its gross earnings as a part of the operating expenses."

This is hardly encouraging either for the large capitalist or the small investor. What a long distance we have travelled from the day when the State of New Jersey gave the Camden and Amboy Railroad the exclusive franchise of roads throughout the State forever, or from the days of huge land-grants and millions of subsidies! Thousands of millions of capital having been lured into investments in railroads by the attitude of the States and the public, the owners are now told that they are entitled to earn *something* on their capital. The time has been, and is liable to come again, when railroads had much better take up their tracks, abandon their franchises and realize on their assets what they can, instead of carrying on a ceaseless fight for existence, and for an adequate return for the capital and labor employed.

W. Morton Grinnell.

THE RUSSO-JAPANESE WAR: ITS LESSONS FOR GREAT BRITAIN AND THE UNITED STATES.

BY LIEUTENANT-COLONEL A. W. A. POLLOCK, EDITOR OF THE "UNITED SERVICE MAGAZINE."

It has long been recognized in the United Kingdom that the defence of the British Empire is a naval much more than a military question: first, because the loss of Sea Power would involve starvation for the inhabitants of the British Isles, and, secondly, because it would preclude the possibility of sending military reinforcements to defend Colonial territories and Dependencies. In the case of the United States, however, it is but recently that an awakening to the importance of Sea Power has taken place. Beaten at sea, the United States would eventually be vanquished, not so completely, indeed, as Great Britain in like circumstances, but, nevertheless, sufficiently. The United States could not be starved, but could be brought to the verge of bankruptcy by a prolonged interruption of foreign trade.

Recognizing the importance of possessing naval strength, the people of the United States have wisely determined, not only to increase the fleet, but also to construct the Panama Canal, so as to facilitate speedy concentration upon either coast of the American continent. So far, so good. Invasion of United States territory is clearly impossible (even if it were not otherwise beyond the strength of any Power in the world), provided that the United States navy is victorious. The question of an incursion over the Canadian frontier need not be considered, because war with Great Britain is a contingency that may be dismissed, not so much because "blood is thicker than water," as because the intimate community of interests would render such a war highly unpopular in both countries; and, further, because neither branch of the Anglo-Saxon race has any desire to gratify the enemies of

both by indulging in a fratricidal struggle. Mexico may also be disregarded. Similarly, so long as the British navy commands the sea, no part of the British Empire, except India, stands in any serious danger of invasion, Canada, for the reasons already stated, being almost absolutely safe.

Thus to Great Britain, and also to the United States, Sea Power is the bed-rock of national security. But a building offers only a very imperfect habitation, however secure its foundations, if its walls are insecure and its roof unsound. Such, however, is the strategical nakedness of the two richest countries in the world.

It is not, I think, stretching imagination too far to suggest that Great Britain or the United States, or the two in alliance, might not impossibly have found it necessary to attempt the part now being so well sustained by Japan in the Far East. Under any of the conditions named, the fate of the Russian fleet would have been much the same. British or American torpedo-boats would have been as daringly and skilfully handled as were the Japanese, and probably with the same promptitude. Moreover, the results of the action at sea, which followed the sortie of the Russian fleet from Port Arthur, would have been more immediately disastrous to the latter, because, unlike the Japanese, the British or Americans, having other ships in reserve, could have afforded to close upon their opponents in a finally decisive action, and would certainly have done so. But afterwards?

Will any sane person upon either side of the Atlantic venture to assert that Great Britain or the United States, or even those two Powers in alliance, could, under existing conditions, have put in the field an army capable of doing what has been done by the Japanese? I trow not. The utmost that an allied Anglo-American army could have achieved would have been the defence of the neck of Korea, if happily it could have arrived in time to forestall the Russians. As for a prosecution of the offensive into Manchuria and the military siege of Port Arthur, we should no more have been equal to such a task than we would be to capture Berlin or Paris. Neither of us has an army. That is the plain truth. It is all very well to boast of the thousands who volunteered for service in the Philippines and in South Africa; we must not forget that those volunteers who so eagerly flocked to the front were not, as a rule, very long about clamoring to be

sent home again. Nor must we deceive ourselves by supposing that our volunteer troops were, in either case, fit to fight the stubborn battalions of Kuropatkin. The handfuls of British and American regulars would have been expended before long; and we should have had no troops at our disposal wherewith to replace them, except a circling stream of volunteers, returning home as soon as they had become fit to fight.

Americans talk stoutly enough of their determination to enforce the Monroe Doctrine, indirectly as well as directly. But is it so certain that the military power is in hand for the purpose?

Great Britain talks similarly of defeating any Russian attempt on India by reinforcing her army in that country, and also operating upon the flank of the invaders, by virtue of Sea Power. Theoretically, this sounds simple enough; but, practically, success is by no means assured, because there is no apparent reason why Russia should not be represented by an army far stronger than Great Britain has at present the smallest hope of encountering successfully. A few hundreds of miles of railways (built, very likely, to a great extent with British capital) in Persia, and the troops of the Tsar might be massed on the northwest frontier of India in hundreds of thousands.

America has emerged from her shell and asserted herself as a World Power; but her potentialities on land are unequal to the position which she has assumed. So, also, it is with Great Britain. In both cases, there are fleets that would buzz round like angry bees, and sting hard enough, no doubt; but the naval sting having been victoriously applied, there would thenceforward be no power wherewith to prosecute the original success. That such conditions should be permitted to prevail, by two peoples who pretend to much common sense and also to no little patriotic fervor, is to my mind incomprehensible. On both sides of the Atlantic, Jingo songs are enthusiastically sung in the music-halls, upon the slightest provocation; but that the individual citizen owes any duty of personal service to the State does not enter into the minds of one in a hundred of those who sing.

Both of us have our Militia and Volunteers enlisted only for that hollow sham, "Home Defence." What would it profit the United States to have 5,000,000 National Guards breathing defiance against invaders who had no intention of invading—not being fools; or what would it profit the United Kingdom if 5,000,-

000 Volunteers were similarly inviting the enemy to come on if he dare? Nonsense! If the day ever comes when either the United States or Great Britain is reduced to defending home territory with land forces, it will mean that the naval power has been broken, and the sponge may as well go up at once. Great Britain might hold out for three months, or the United States for three years; but the end, in either case, would be a proportionately increased measure of misfortune.

It is commonly said that neither Great Britain nor the United States would allow the destruction of the other. Perhaps not; yet, if the one were first to be defeated, the other might possibly be unequal to restoring the balance. Such questions, however, are outside my present purpose. *Defence,* in both our cases, is a naval matter; Great Britain has already a tremendous fleet, and the United States is engaged in creating one. Let it be granted that Great Britain is now invincible at sea, that the United States will in due course be the same, and that a quarrel between the two is impossible. The fact still remains that "ironclads cannot climb hills," and that either country might be engaged in a war, such as that now being waged by Japan, in which, without a large army, matters could not be pushed to a satisfactory issue.

The "free-born Englishman," like the "free-born American," appears to treasure, as one of his most highly prized liberties, his immunity from any legal obligation to defend his country by the only efficient means—attacking the enemy. Each maintains a small regular army, which is expected to support, vicariously, the burden of national defence which the bulk of the citizens decline to touch with one of their fingers. Trusting that our hearths and homes are safe, we shut our eyes to everything else. The danger to Great Britain is greater than to the United States; but, to each in its degree, the sufferings caused by a prolonged state of war would be immense, no matter how successful the navy might have been in sinking, capturing or blockading the hostile fleets.

Let us suppose a fulfilment of the evident desire of Germany for a coalition with France and Russia, with a view to a mutually agreeable settlement of the Far Eastern question. It is quite clear that Great Britain, in such an event, is bound by treaty to range herself upon the side of Japan, and that her potentialities would be limited almost entirely to naval operations. The French

and German fleets in European waters would give the British Navy ample occupation, for some time at all events; and, meanwhile, it is by no means certain—assuming the Russian Baltic Fleet to be still undefeated—that the French and German ships in the East would not counterbalance the British Pacific Squadron; in short, an Anglo-Japanese naval disaster is within the bounds of possibility. Needless to say, the Japanese armies in Manchuria would then be in a very dangerous situation.

Should the final result of the war be unfavorable to the Anglo-Japanese forces, it is easy to foresee the result. The Far Eastern markets would become close preserves of Russia and Germany, and those two Powers would fling some fair-sized bone to France, the assistance of the French being no longer required. Does the United States seriously imagine that any regard would be shown for her interests in those regions? None whatever, beyond what she might be able to protect at the sword's point—that is to say, none at all. Great Britain having been disposed of, the United States would become impotent; and, obviously, the converse is no less true. The law of self-preservation, consequently, demands that Great Britain and the United States should, without avoidable delay, declare their joint intention to prevent the exercise of any exclusive influences, by any Power or Powers, in the Far East; let it be, by all means, a "Self-denying Ordinance"—in a word, the policy of the "Open Door." There is no need whatever for the two countries to enter into the entanglement of a general alliance; but it is, I think, imperative that they should combine their forces in the Far East in defence of the very similar interests that are vital to both of them. We may be certain of this, that if Great Britain, or the United States, stands by whilst one of them is being overmatched, the turn of the other will follow soon after.

France is now on very friendly terms with Great Britain, and is traditionally a friend of the United States; but the French are an honorable people, and, whatever and wherever their real sympathies, we need be under no delusion as to the certainty of France's fulfilling to the letter her treaty obligations to Russia. A general conflagration would be easily enough kindled, and could not be quenched without great losses to the world at large. What is most needed is that the owner of every political box of matches that could be employed for the purpose shall be made thoroughly

aware of the consequences to himself, should he venture to use one of them—namely, all the punishment that Great Britain and the United States might be able to give him.

Meanwhile, let us, on both sides of the Atlantic, begin earnestly to set our military houses in such order that, if unhappily we find ourselves called upon to fight, our opponents shall have good cause to regret having forced us into the field. Without strong armies we cannot fully prevail, and neither in Great Britain nor in the United States is there at present an army, available for oversea service, of anything approaching to the necessary strength. Both of us are commercial nations, desirous of remaining at peace; and, for that very reason, it behooves us to be so strong that none will venture to take liberties with us.

A. W. A. Pollock.

THE POLITICAL ECONOMIST AND THE PUBLIC.

BY JACOB H. HOLLANDER, PROFESSOR OF POLITICAL ECONOMY IN JOHNS HOPKINS UNIVERSITY.

THE development of economic thought has been affected at intervals by more or less formal consideration of the relative extent of its subject-matter and the proper scope of its inquiry. Originally conceived as the art of domestic government, Political Economy became at the hands of the Physiocrats and their immediate precursors a systematic study of the phenomena of wealth. Two influences, emanating from the philosopher-scientists of the early eighteenth century, and together summed up in the historic ambiguity of the term "natural," contributed to this end. First, the existence of economic uniformities was asserted; and, second, the possibility of basic rules of economic conduct was assumed. Similarly, Adam Smith, starting from an academic discussion of "Police," in logical development of the teachings of Pufendorf and Hutcheson, passed with growing sense of the importance of the subject, and under the personal stimulus of the *Economistes*, to a full consideration of national well-being. Professor Sidgwick has pointed out how this transition from Political Economy, as a branch of the art of government, to Political Economy, as an analysis of wealth phenomena, is actually crystallized in the "Wealth of Nations." Explicitly defining the purpose of economic study as the first, Adam Smith in fact devoted the bulk of his treatise to an analysis of public welfare.

The drift of Political Economy away from rules of economic administration to an analysis of wealth phenomena was aided by the intellectual reaction that followed the excesses of the French Revolution. Economic doctrines, and pre-eminently the doctrines of the new economic liberalism, were identified throughout Europe with French principles and the revolutionary spirit. In

1793, three years after Adam Smith's death, Dugald Stewart still hesitated to give, even before a select audience, any detailed account of the "Wealth of Nations." And Mr. John Rae cites Lord Cockburn's testimony to the fact that, when Stewart first began to give a course of lectures in the University of Edinburgh on political economy in the winter of 1801-2, the mere term "political economy" made people start. "They thought," he says, "it included questions touching the constitution of governments, and not a few hoped to catch Stewart in dangerous propositions."

But the determining force in the transition of Political Economy from a body of precepts to a body of principles was the circumstance that, with the dawn of the nineteenth century, the analysis of wealth phenomena ceased to be exclusively the concern of pamphleteers and special pleaders, and became the subject of deliberate and systematic study by a widening circle of keen and influential minds. The "Wealth of Nations" required too much thought and reflection to be popular, lamented David Hume within a month after its appearance, and the readers of the day, fresh from the pages of the "Decline and Fall," might well have found the Scotch philosopher turgid and prolix. But by 1800 the work had reached a tenth edition; its influence upon political thought was evident; its impress upon political action was in part realized, in part foreshadowed; Dugald Stewart's lectures at Edinburgh were crowded, and young men like Francis Horner, Samuel Romilly, Sydney Smith, George Grote, James Mill, David Ricardo and Thomas Robert Malthus were turning from natural science, from legal studies and from literary activity to earnest pursuit of the subject whose prosecution involved keen intellectual pleasure and whose results stood in intimate relation with urgent practical affairs.

It is doubtful whether economic study has ever been pursued with the same intentness and enthusiasm as in England during the period, roughly speaking, of the Napoleonic War. The reflection is seen in Mrs. Marcet, in Maria Edgeworth and in Harriet Martineau. "It has now become high fashion with blue ladies to talk political economy, and make a great jabbering on the subject," wrote Maria Edgeworth in 1822. And again: "Fine ladies require that their daughters' governesses should teach political economy. 'Do you teach political economy?' 'No, but I can learn

it.' 'Oh dear, no; if you don't teach it, you won't do for me.'"

Indeed, contemporary evidence abounds. For example, Francis Horner—that brilliant young scholar-publicist whose too early death surely meant grave loss to the progress of economic truth—had read the "Wealth of Nations" before he was seventeen, had followed Dugald Stewart's lectures in Edinburgh thereafter, and was devotedly engaged in economic study while practising at the bar in the Scotch capital.

He describes in his journal, under date of April 30th, 1801, his systematic manner of approach: "In the afternoon Lord Webb and I made our second attack upon Smith's 'Wealth of Nations'; and finished, for the present, the subject of division of labor. Our mode of reading is, first to go through each chapter with a minute attention to the accuracy of the argument, endeavoring at the same time to recollect all the illustrations by which we can either confirm, contradict, or modify his general principles; when we have read as many chapters as make a complete subject of itself, we review the whole in a more general manner, and take a note of such subjects of future investigation as seem necessary to complete the theory." From the detailed study of Adam Smith, young Horner passed to the writings of the *Economistes,* finding comfort in Lauderdale's remark that he (Lauderdale) "had repeatedly left the study of the '*Tableau Economique,*' cursing himself for a blockhead." When Smith's perplexing fifth chapter on value and price proved a maze, he sought the clue in the currency tracts of Rice Vaughan, Harris, Bodin, Lowndes and Locke.

It is to this fact of earnest and enthusiastic study, rather than to any formal principle of schematization or methodology, that we must ascribe the Ricardians' easy use of the term "the science of Political Economy." When Ricardo writes to Hutches Trower: "I am very sorry to be obliged to agree with you that there are a very few who are perfect masters of the science of Political Economy," or when he states that it is in the domain of taxation that "the most perfect knowledge of the science is required," the concept of science which he has in mind is a body of principles relating to the production and distribution of wealth, obtained by systematic observation of actual phenomena on the part of a group of capable minds, and made useful by affording governments the possibility of wise economic policies.

Sixty years after the "Wealth of Nations" was published, at the very close of the first half of the century and a quarter that go to make up the modern history of economic study, virtual unanimity had been reached as to the changed purpose of economic inquiry. Rules of governmental conduct had passed from primary to secondary endeavor, and, conceived as a science, Political Economy had become the study of the phenomena of wealth, having for its object the formulation of a body of abstract principles, which should be capable in their application of shaping public policy in economic affairs.

In 1837, Senior formulated the distinction by differentiating *theoretical political economy,* which "explains the nature, production, and distribution of wealth," from *practical political economy,* which "ascertains what institutions are most favorable to wealth." John Stuart Mill and Cairnes took practically the same view, and with them, and after them, the majority of English writers of the earlier school.

The tranquil acquiescence into which economic thought had thus fallen in the late thirties, with respect to accepted *dicta* of the province and subject-matter of the science, was rudely shaken in the course of the next generation by three distinct influences, about which centre the sustained and often acrimonious discussions of the proper scope and method of economic science, that constitute a distinguishing feature of the second half of the modern history of economic thought.

From France came the message of the unity of social phenomena and the concept of a master science of sociology. From Germany came protest against the doctrines of economic universalism and perpetualism, and insistence upon the principle of historical relativity. From England came the gospel of economic development and the evolution of industrial organization. Comte, Roscher and Spencer—with their prototypes Hegel, Savigny and Darwin—represent the great forces that, in succession, first shook the structure of economic science to its very base, and then inspired its extension and fortification.

We are still too near the scene of conflict to require any review of its events. As so often in the history of science and, preeminently, in the history of economic science, that which had come to overthrow remained to influence and to be influenced. The principles of industrial evolution, of economic relativity and

of social interdependence entered into the very heart and essence of economic study, and left their mark in a changed and bettered condition. If the din of doctrinal battle no longer resounds, it is not because of abandonment or surrender, but because a sane and honorable *modus* has been arranged.

In but one corner of the field does the struggle yet continue. A handful of doughty spirits are still bravely hammering one another, in theoretical determination of the precise bounds of economic science. Yesterday, it was as to the interrelation of Economics and Ethics; the day before, of Economics and Mathematics or Statistics; to-day, it is the respective provinces of Economics and Sociology, on the one hand, and of Economics and History, on the other.

To this sustained dialectic I shall venture no further contribution. Whatever advantages, in the nature of precision of thought and economy of effort, attend the solemn partition of an undiscovered country must long since have been attained. Further debate suggests the waste of scholastic controversy, barren in result and mischievous in the suspension of positive investigation, in the blunting of mental acumen and in the diminution of public respect.

A far more promising service than the text-book demarcation of the kingdoms of knowledge seems to lie in a comparative survey of what, in default of a more exact phrase, might be termed the "pace" of economic science. Political Economy has for a hundred years or more been a going concern, the subject of sustained and deliberate study. It seems high time to pause and inquire as to the relative efficiency of its devotees. In what relation does the achievement of the economist stand to that of his fellow scientists? According as he has forged ahead or fallen behind, the economist must teach to, or he must learn from, those who are speeding to the same goal, although by other courses.

If recourse be had to the readiest empirical measure—public estimate—we are left in no manner of doubt that the progress of Political Economy, as tested by the practicability of its application, has been incomparably slower in degree and less in result than that of coordinate sciences. For example, at the present moment there are three great economic problems disturbing the consciousness of the American people: Trusts, Tariffs and Trades-Unions. It should be as natural and proper for the pub-

lic mind to turn to the scientific economist for specific and definite guidance with regard thereto as for the farmers of the arid regions to harken to the physicist as to the efficacy of concussion as a means of rain-making, or for a municipal administration to turn to a pathologist for counsel as to the best method of dealing with epidemic smallpox. Each of the three economic problems can be simplified, if not solved, by the determination of an underlying principle. The public will know how to deal with industrial combinations, when an answer has been given to the query: "Is there an assignable limit to the size of the modern industrial unit, and, if so, what determines it?" The tariff question will speedily enter upon a new era, if clear light be thrown upon the precise relation of labor cost and industrial efficiency. The *crux* of trade-unionism is the determination of a natural law of wages, and, no less important, a practicable method of ascertaining it. In each of these directions, the economist might properly be expected to meet, indeed to anticipate, the public appeal for counsel, and in each of these directions the economist, within the ken of the ordinary man of affairs, has been mute.

Unless, therefore, the economist is to acquiesce with a resigned fatalism in a condition of affairs—of which my illustrations are, I believe, fairly typical—it is imperative that there be profounder searching of heart and more accurate scrutiny of fact, for explanation of the loss of popular respect for economic study and of the decline, at best partially arrested in our own day, of the economist's influence in public affairs.

A generation ago, Arnold Toynbee asserted that "the wage-fund theory was the great cause of the unpopularity of Political Economy among working-men." More recently, President Hadley, after deliberate inquiry, explained the smaller practical influence of the economist in government and administration as due, first, to the transition of Political Economy from an art to a science, with a corresponding loss of clearness and precision in its propositions; second, to the use of precedent rather than scientific analysis by the courts as the basis of the adjudication of modern economic problems; third, to the neglect of collective interests and to the checks upon administrative power in the organization of modern representative government.

But, whatever truth resides in these analyses—and there is

much—fundamentally and in the last instance, the distinctly, nay, the distinctively unfavorable attitude of the public mind towards economic theory can only be due to one or more of four causes:

First, the public mind may be inherently opposed to accept scientific leadership in the formation of its economic opinions, in something of the same sense that the late Mr. Spencer noted that men who would instantly disclaim judgment in problems of the natural science would, without correspondingly greater equipment, give out-of-hand verdict upon complex questions of social policy. Or, second, it may be that economic phenomena, in their complexity, variety and inaccessibility, defy, beyond a certain point, that productive systematic inquiry which we term successful scientific study. Or, third, the tribe of economists may be intellectually inferior to their fellow scientists, or, at least, less well equipped in those particular mental requisites which go to make up the successful scientist. Or, finally, the methods and the apparatus employed by the political economist may be relatively inefficient.

If Political Economy as a subject of scientific study has any right to be, we must of necessity reject the first three of these hypotheses and concentrate our attention upon the fourth. Such a procedure is, moreover, encouraged by the complexion of existing facts. It requires the barest observation to realize a startling contrast in method between Political Economy and any of the actively pursued natural sciences. Let us turn for a moment to Chemistry, where within recent years the bounds of organized knowledge have been extended with the most brilliant results. In so far as the layman may speak, it appears that modern chemical —or, for that matter, physical or biological—study involves three consecutive stages: (1) inquiry and research, (2) experiment, (3) theorization. Associated with these essential activities are the complementary processes of initial conjecture affording a tentative working plan; formation of trial hypotheses in result of investigation and for submission to experiment; and conversion, by demonstration, of theory into law. But, in the main, chemical science advances from truth to truth, from probability to certainty, because a body of mature workers, equipped with intimate knowledge of the achieved, are busy marshalling and classifying facts, searching for and formulating uniformities, testing hypotheses and demonstrating laws.

If we return now to the domain of economic science and to the

scene of economic study, the contrast is fairly startling. We find a body of capable and devoted workers, and a definite and inviting subject-matter. But here, to any appreciable degree, the parallelism stops. There is no collecting and classifying related data, in their qualitative aspects, no tentative selection of economic uniformities, no verification of hypotheses by reference and experiment. As against the chemical investigator in his laboratory, deliberately and systematically gathering a particular group of facts, and formally submitting the sequences which they suggest to comparison and test, with a reasonably well-established hypothesis as the ultimate endeavor, we have a corps of student apprentices busy upon historical and institutional monographs; a group of younger scientists absorbed in academic duties, and a body of sages engrossed in doctrinal discussion. A single category has rarely been used to include two things less identical than the term "scientific" in reference to chemical and economic study, respectively. If the one be, the other is not. It is a difference in kind, not in degree, of which the contrasted terms "deductive" and "inductive," "experimental" and "*a priori*," suggest the consequence, not the cause. Some further interpretation of this remarkable distinction is demanded.

A score of years have elapsed since the coincidence, roughly speaking, of economic investigators and economic issues effected a renaissance of economic study in the United States—synchronized by the organization of the American Economic Association in 1885. Within that period, every important university of the country has found it necessary to provide more or less abundant opportunities for economic instruction, increasing numbers of capable students have gathered for training in economic investigation, and economic science in the United States has come to be studied with a vigor and an activity unequalled in any European country, and unsurpassed in the case of any of the natural sciences in this. But the method of investigation has been narrow. On the one hand, we have permitted the Comptian influence and the "extreme Historismus" of the German school to justify economic microscopics; and, on the other hand, dismayed by the vast area, the extensive activities, and the scattered data subject to economic inquiry, and poorly equipped both in requisite resources and opportunities, we have refrained from attempting comprehensive induction.

In consequence, economic investigation in the United States, although pursued with unexampled activity, has been almost exclusively historical or institutional, on the one hand, and local or intensive, on the other. Of extensive economic investigation, economic induction in the proper sense of the term, little has been attempted and less achieved. The historical evolution of economic institutions as revealed in more or less accessible records, the functional activity of economic organizations as displayed in limited areas—these have defined the scientific activity of the ordinary economist. Of the comprehensive study of the history, structure and functions of any actual part of the economic organism, we have had infrequent example.

In the field of local finance, for example, we have had, on the one hand, faithful historical studies of the finances of particular States and cities and of particular fiscal institutions, and, on the other hand, we have been given intelligent analyses of the present financial status of specific localities. But the investigator has probably not yet attempted—understand, I do not say *completed*—an exhaustive study of local finance in the United States, in the spirit in which we may conceive the chemist or the physicist approaching a corresponding problem. Similarly, the institutional history of the negro in certain States has been traced, and his present status in certain limited localities has been described. But the larger subject, the negro in the United States, taken in its scientific entirety, is still untouched.

Turn where we will, a similar condition prevails. Railroad transportation, trade-unionism, taxation, industrial combinations, tariffs—as fields of investigation—have been approached only fragmentarily, historically or locally. Brought face to face with extensive subject-matter, economists have shown the white feather, and solaced their souls in the thought that comprehensive study of any important economic institution might properly be postponed until such number of detailed monographs, dealing with specific aspects of the subject, have been completed as will permit full exposition and safe generalization.

Monographs have multiplied; doctoral dissertations have accumulated, and the progress of economic science, as judged by results, has been imperceptible. The experience of twenty years seems to suggest that the prime usefulness of intensive economic studies is educational and local, and that variety of approach, dis-

tinctness of treatment, change of environment are grave qualifications under existing conditions, of the value, and certainly of the economy, of large reliance upon this monographic method of economic investigation.

The proposition which I venture to submit is that the time has now arrived when, without any necessary cessation of historical and local studies, the economic investigator—and, in particular, the economic investigator in the United States,—if he is to attain his highest scientific possibility, must adopt a larger mode of inquiry, a mode analogous to that employed by the physical scientist, and described as extensive or experimental rather than intensive or institutional. He must derive his subject-matter not from past history alone, nor from the present experience of restricted localities; but he must observe and collate the phenomena under consideration from an area practically co-extensive with their manifestation; he must interpret each group of facts in the light of the conditions prevailing in that particular place; and he must test the uniformities revealed by reference, as tentative hypotheses, to conditions in still other localities.

If he is attempting safe and useful generalizations, he must consider, for example, the taxation of corporations not by one State, but by every State. He must study the structure and functions of trades-unions, not with respect to a handful of labor organizations and a few convenient cities, but in the light of the policy and practice, declared and actual, of every important national labor-union, as displayed in many representative localities. In a word, the basis of economic induction must henceforth be, to a much greater degree than heretofore, qualitative data, amassed as deliberately and laboriously as chemical or physical data are collected by the natural scientist in his laboratory, and approximating in comprehensiveness the quantitative material the public statistician makes available with increasing efficiency.

The successful conduct of economic investigation along the extensive or experimental course thus outlined involves the use of a group of workers, instead of the individual student, as the unit of research. Until such time as the number of independent investigators will have greatly multiplied, the well-equipped department of Political Economy in the University will, naturally, be the prime agent of scientific activity. Such an economic laboratory or seminary will include not only a directing and teaching staff

and a body of students actually in residence, but affiliated workers in the field and associated beneficiaries of subventions desirous of operating from an academic base. A particular body of contemporary economic phenomena will be selected for collective, rather than cooperative, investigation; and specific aspects thereof will be assigned to individual workers for research in accordance with an organic plan. A student showing special interest in or capacity for investigation along lines other than that selected for collective effort, will be encouraged to follow his particular bent; otherwise, his energies will be directed, by deliberate assignment, to the seminary topic. Class instruction and the use of bibliographical and documentary materials will serve as the preparation for systematic laboratory and field work.

In regard to books and documents, the investigator must be able to command, in addition to ordinary library apparatus, all primary documentary material relevant to his inquiry, whether it be as ephemeral as municipal reports and trade-union journals, or as unobtainable by formal request as trade agreements and corporation records. Similarly, he must be able to publish the results of his investigations in the precise form which scientific fidelity or practical usefulness demands, without regard to their commercial attractiveness or to the limited resources of existing scientific agencies. A more liberal policy of library administration and a more intelligent appreciation of the proper relation of publication to investigation in the social sciences, have improved conditions in the past few years, as to these two requisites.

It is with respect to field and experimental work that the occasion for largest change exists. Extensive investigation, as distinct from historical study and local inquiry, must bear the same relation to Political Economy that field-work does to Geology and the clinic does to Medicine. The immediate environment will first be utilized as an economic laboratory for the development of scientific spirit in economic study and sound method in economic research, and as the field from which bases of working hypotheses may be derived. Thereafter, the investigator will extend the range of his inquiry by visits to, and even residence in, representative localities, with a view to collecting wider and more varied data and to testing tentative conclusions.

Such a procedure involves two essentials: leisure and resources. The investigator's time and energy, if not entirely available for

scientific inquiry, must certainly not be unduly absorbed by the routine engagements of the student or the teacher. To the extent that he is still a student or instructor in academic attendance, opportunity for extensive inquiry must come with greater prominence of field-work and laboratory exercise in economic instruction. Economic teaching can properly harken to the message of the physical sciences, that the ideal of student training is less the accumulation of detail than the development of a mode of thought. An association, of course; a reduction of lecture attendance; a unification of seminaries; and, most important of all, the utilization of the long summer recess for field-work—will ordinarily effect an economy of time which will make possible that amount of experimental inquiry demanded both by student development and scientific progress.

With respect to resources, the investigator must be in command of funds sufficient to enable him to visit and, upon certain occasions, temporarily to reside in representative localities for the purpose of gathering additional evidence and of testing and verifying tentative conclusions. To some extent, such funds can be made available by a modification of the fellowship system, the original purpose of which, the attraction of students to postgraduate study, has ceased to be necessary, and the further extension of which along existing lines threatens serious evils. Beyond this, aid may be anticipated from cooperation with governmental agencies and with endowed institutions of research. But, most of all, university authorities must recognize that "investigation funds" are as essential to scientific activity in Political Economy as laboratory apparatus is to Chemistry and clinical provision to Medicine. It seems reasonably safe to venture the opinion that less and less will lack of material resources operate as a handicap, and that, as long as the method be sound and truth light the way, economic investigation will probably receive as generous an equipment as the economic investigator desires.

In short, I urge a closer parallelism in method of investigation between Political Economy and Physical Science. Comparative study can fairly well replace deliberate experiment. Beyond this, we need but a larger equipment and a common spirit. Heretofore, the economist has adapted his method to his resources. Let him now demand resources, made necessary by this method.

JACOB H. HOLLANDER.

BIOGRAPHY.

BY WILLIAM ROSCOE THAYER.

BIOGRAPHY is that branch of history which has been cultivated least successfully. The annals of civilization cover twenty-five centuries, but how few are the first-rate biographies! Is this because Biography is the final product of History, as Portraiture is of Painting?

Plutarch, the supreme ancient biographer, flourished at the close of Rome's imperial expansion, long after the golden age of Greece had become only a memory. He drew the portraits of the most conspicuous public men of seven centuries, with an art so excellent that he can still teach us much. He opens to our view not only the individual careers which made and unmade empires, but also the familiar concerns of classical antiquity, the life of the household and shop and market, the anecdotes, the superstitions, the customs and rites. Had Plutarch's books been lost, we should have lost more of the human than Thucydides, Livy and Tacitus could ever supply.

So, too, the Old Testament has gained its immense hold over later peoples, not merely because it contains the religion of the Jews, but because it abounds in biography. Abraham, Isaac, Joseph, Saul, David, Joshua, and how many more, are drawn with such unsurpassed fidelity that a child recognizes the lifelikeness and a philosopher wonders at the perfection with which they typify phases of universal human nature. Can we suppose that, if the tale of our modern biographies were closed, we should hand down to readers two thousand years hence such treasures as we find in the Old Testament and in Plutarch?

And yet individuality never took more varied shapes, it was never more interesting, than in the nineteenth century, which produced specimens of almost every type known to earlier ages,

besides adding, in great profusion, new types of its own. One reason why we have overlooked this growing richness in individuality is that we have been absorbed in watching the formulation of the doctrine of evolution, the capital achievement of the century—the doctrine in which, when first posed, the individual seemed to wither and the world grew more and more. In the fathomless vistas it revealed, the single human life shrank to a speck. Individuals were studied, not for themselves, but as links in the numberless chains that stretch from the Unknown to the Unknowable. Not the man, but his pedigree; not the specimen, but its series; not the idiosyncrasy, but the likeness, were all in all. It followed naturally, when historians took a survey through this cosmic telescope, that with them too the collective should prevail over the special. The career of a tribe, a nation, a race; the growth and decay of institutions; the birth and flowering and death of religions, philosophies, polities, arts; the mystic importance of the soil out of which all springs, and of the climate which each must breathe—these are the topics which have chiefly engrossed historians during the past fifty years. Bent on discovering general principles, or at least on tracing the continuity which endures beyond the individual life, they have rightly disregarded the exceptions; and the result of their labors is such that no eulogy can overpraise it.

The fascination of treating history in this way is intense. How proud a thing it is for mortals, whose earthly term is but a span, to range through time, lording it over centuries or millenniums, as the astronomer ranges through space! We crave to know principles, and, having discovered them, to reduce this miscellany of a world to order; but life is far deeper than the principles by which, at one period or another, we interpret it. And when the eager search for them tends to abstractions, let the historian never forget that life is always concrete. Before he can deduce one general law, he must have understood many particular instances: whether he will or not, the historian is thrown back on biography, on the investigation of the careers of individual men.

The historian of a long period, or of an institution, or of a great movement, chafes at the intrusion of individuals: they interrupt his logical sequence; they force him to abate and qualify. Trusting to his evolutionary formula, he believed that he could predicate of mankind in the mass principles as certain as those of

the mathematician. Very good! But behold Cæsar! behold Mahomet! exceptions to all rules, who plunge in and smash his calculations! There is danger of becoming too cosmic, of seeing human history from a height so remote that it bears no more resemblance to flesh-and-blood facts than a map bears to a continent. The Infinite, because infinite, probably sees only individuals: the generalizing process is the device by which we finite men make up for our lack of omniscience, and manage to deal with multitudes of facts, which, taken separately, would overwhelm us. For fifty years and more, the pursuit of the cosmic has absorbed our best endeavors: the extreme on that side has been touched: the pendulum begins to swing back. Almost unperceived, there is a return to the study of the concrete, of the individual, of the infinitesimal, down to microbes, atoms, electrons. After the cosmos, man interrogates again the microcosm. The dawn of Biography is breaking.

I would not imply, of course, that Biography is more honorable than History; they are not rivals but allies. I wish simply to suggest some of the many reasons why the future of Biography is so promising. An adequate survey of this art, in which we should see the growth of skill in the artists and the changing fashions in the art, has yet to be made.*

In Biography, just as happened in poetry, in painting and in sculpture, the capacity to depict imaginary personages came long before portraiture. The earliest efforts are, almost always, stiff, conventional, Byzantine, not individualized. After a while the public craves more human details, or the biographer has a knack at hitting off a likeness; and so the art gradually increases in efficacy till it is worthy to serve a Plutarch or a Boswell.

We must always bear in mind not only the biographer's skill, but the ideal which he set himself. For centuries fashion prescribed that distinguished personages should be portrayed in their robes of office, just as kings were painted with their crowns on. Nothing was told about them inconsistent with their supposed character. See how little the quaint and delightful Izaak Walton lays bare the real man in his life of Dr. Donne or of Sir Henry Wotton. He introduces us to a worthy, conventionally pious

* Let me remark, parenthetically, that none of our universities, although some of them now offer hundreds of courses and subdivide each subject into very slim sections, has included Biography among its electives, either in History or in Literature.

divine, and to a high-bred, rather solemn diplomat; yet we know that both of them were full of human nature. Nor did Boswell's example, a century and a half later, break up this tradition. Sparks, in his desire to record nothing inconsistent with what he imagined Washington ought to be, made a mummy of him. The Washington whom I read about in my history at school never seemed to me more real than the wooden Indians which used to stand in front of cigar-stores. Years afterwards, I came upon this statement by one of his officers: "It was at Monmouth, and on a day that would have made any man swear. Yes, sir, he swore that day, till the leaves shook on the trees. Charming, delightful! Never have I enjoyed such swearing before, or since. Sir, on that ever-memorable day he swore like an angel from heaven." These words sent a thrill of satisfaction through me, for they proved that Washington was once alive; and I went on to make his acquaintance.

The fashion of so dehumanizing great men that nobody could believe in their existence, led to the production of memoirs, letters, *chroniques scandaleuses,* in which one sought for evidence, rather sleazy at times, of the human. Latterly, the tide has set so strongly in this direction that now biographers tell everything. Your true German biographer will give you a chapter on Goethe's shoe-buckles, with details as to their cost and size; statistics of the silver-mine from which the metal came; the pedigree of the smith who made them; and, in an appendix, you will find a treatise on the history of foot-wear. No man is a hero to his valet; judging by recent examples, I suspect that valets have turned biographers. And yet this extreme is less harmful than the other; at least, it bespeaks life instead of death. Much of the best biographical work at present is done in disinterring great men, who, like Washington, had been mummified and laid away.

The most lasting interest which we have is our interest in our fellows. Be they great or be they small, we know men and women as individuals, each with his peculiar legacy of form, feature, gesture, character, actions. One attracts us, another repels; but we cannot shake ourselves loose from our interest in them. And so, after we have read History, which perforce blurs the individual in its effort to define the great tides of evolution, we turn again to Biography in order to hear human voices; to catch, if may be, the glance of human eyes; to be reassured that, whatever the

events, they were woven of the passions of men and women, dead now, indeed, but once glowing with life. Unless the past be revivified, why should it concern us? Little care we for the philosophy of the twelfth century: but hear Héloïse from her convent prison cry out thus to Abelard: "I have renounced life, and stript myself of everything; but I find I neither have nor can renounce my Abelard. Though I have lost my lover, I still preserve my love. O vows! O convent! I have not lost my humanity under your inexorable discipline! You have not turned me into marble by changing my habit; my heart is not hardened by my imprisonment: I am still sensible to what has touched me, though alas! I ought not to be!" This is a voice not from the distant past but from to-day. Hearkening to it, Héloïse and Abelard live again for us, though their scholasticism be dead and gone.

The human touch—every true biography must have that. Recall how when Alcibiades had fled to Italy, some one asked him whether he durst not trust his native country, and he replied: "In everything else, yes; but in a matter that concerns my life, I would not trust even my own mother, lest she might by mistake throw in the black ball instead of the white." Come down twenty-three centuries, and listen to General Grant describing his fear as he led his first regiment in pursuit of the enemy: His heart did not resume its place, he says, until it occurred to him that Harris, the Confederate general, "had been as much afraid of me as I had been of him. This was a view of the question I had never taken before; but it was one I never forgot afterwards. From that event to the close of the war, I never experienced trepidation upon confronting an enemy, though I always felt more or less anxiety." The human touch that makes the whole world kin, Grant has it in this passage.

And, to cite one more illustration, St. Augustine tells us that his mother, St. Monica, wished him to defer being baptized a Christian until he had sown all his wild oats; believing, as she did, that that sacrament would wash his soul clean up to date, so that if he received it too early he might commit other sins which it could not purge. How naïve! What a delightful mixture of motherly solicitude and pious thrift! What light it throws on the sainted woman's conception of the bargain of conversion! We remember that human touch in St. Augustine's "Confessions," long after his religious experiences have become indistinct.

The human touch—truth to nature—let a biography have that, and it matters not how humble its subject may be. The great captain, whose prowess dazzled his contemporaries, may pale and fade away before the poet, the discoverer, the artist, when their lives come to be written. Rousseau's "Confessions" and Boswell's "Johnson" have been knit, for very different reasons, into the tissue of millions. And by virtue of this human touch, the material for Biography is as unlimited as Democracy itself.

Moreover, our interest in the human goes on steadily increasing. Not satiated by actual men and women, we explore the imaginary world which the romancers in prose and verse create. And here it is worth noting that the unprecedented advance in the art of fiction during the past century has followed the universal democratizing spirit, until now the heroes of novels are not drawn from kings and peers but from any class, high or humble, and that they dwell neither in Fairy Land nor in Castles in Spain, but amid our every-day life. Biographers have not kept pace with novelists in skill to reproduce the actual man; they still work too much from the outside; they should live in the heart and brain of their hero and let us see the very springs of action: for the demand for veracity, stimulated by science and by fiction, has grown so keen that readers will no longer tolerate the old school of biographers, who thought it indecorous to show their subjects in anything less dignified than full dress.

At present, thanks to its finer skill, Fiction has the cry: but under its highest aspect Biography possesses this incalculable advantage over fiction—it is boundless. The masterpieces of the imagination are forever pent within the confines prescribed to them by their creator—we can add nothing to Macbeth, but accept him and try to understand him as Shakespeare chose to draw him: but the great personalities of actual life elude final definition. I no more believe that a definitive biography of Lincoln will be written, than that the world will agree as to the nature and teaching of Jesus Christ. This elusiveness, as of a beautiful horizon always tempting yet never attained, gives to Biography a perennial charm.

One technical reason why Biography will become popular is obvious: the mass of material about modern times is so enormous that to write an extended history, based on original sources, will soon become impossible. The late S. R. Gardiner filled sixteen

large volumes with his account of England in the first half of the seventeenth century; the future historian who shall attempt to write a history of England during the last half of the nineteenth century will be confronted by ten times more material than the laborious Gardiner had to sift, and his work, if finished, would swell to one hundred and sixty volumes. The lives of great men, even of octogenarians like Bismarck and Gladstone, can hardly be buried under such mountains. Napoleon is, perhaps, an exception; for the material about him is fast surpassing the stretch of one man's industry, although, by judicious selection, the pith can be digested more easily than appears. But history, told through the career of a great man—Cromwell, Washington, Cavour—gains in clearness and human interest far more than it can lose through the tendency of a biographer to exaggerate the personal influence of his hero. Two judges will never agree as to the reaction between the great man and his environment: nevertheless, we shall come nearest to the truth when we take great men at their full value.

For what is the upshot of all life on this earth, from the lowest organic creatures up to Shakespeare and Cæsar, but a crescent manifestation of Will? Among animals and among primitive human beings, Instinct predominates: but, as we ascend the scale, Volition—the deliberate choosing of one policy rather than another, the doing of each deed with intelligent purpose—comes more and more into play. From each accession of this mysterious power, there spring new variations of personality, until Will reaches its highest expression in Great Men. Does not history confirm this? In the most ancient empires, the millions lived almost wholly by instinct, submissive to monarchs who ruled by whim or wilfulness, which is very different from will. But when into a little tribe of Jews this magic sap was poured, it produced among them more striking personalities than the innumerable swarms of Babylon, Egypt and Chaldea had seen. Later, Greece bore within the compass of a century her brood of men great in action, great in thought, great in art, great in character.

If we measured at each period the relative amount of Will and Instinct in each people, we should see more clearly the influence of Great Men. We should see also how, when the acts of Great Men have through imitation been crystallized into institutions, the free expansion of Will is almost invariably checked and a sort of

secondary Instinct,—that is, Custom, which blindly accepts the institution,—is substituted for Will. Since complete self-expression through the Will, guided by reason and morals, is the ideal towards which mankind slowly toils, every institution becomes a clog from the moment when it restricts the service of its members to the running of its own machinery. Tyranny of whatever kind stands eternally condemned, not because it may be cruel, but because it strives to hold men down to the lower plane of Instinct, whereas all the guides to the spirit bid them rise to the higher plane of Will.

Now, Great Men are vessels or batteries in which are stored vastly larger quantities of Will than average men possess. This power they exercise in many ways. Sometimes they draw the masses after them, as a magnet draws steel shavings; sometimes they compel; sometimes they educate. Let us not forget that the masses are plastic, very little endowed with Will, though often surcharged with passions. They do not always respond to the Great Man's call, and when they do they are not always pleased to crown him. Nevertheless, history presents us a succession of causes, each of which seems, to the popular mind, to have been embodied in some transcendent personality.

One school of modern historians have persistently denied this. Fixing their attention on the long stages of evolution, they belittle or ignore the individual. The man of genius they explain as being merely the product of his time. Dante, they say, did not appear alone: he had Guinizelli, Cino da Pistoja, Lapo, Cavalcanti and others for contemporaries; and his work differed from theirs only in being a little better. As if the merging of an army of Cinos or Guidos could equal one Dante! We measure him not by what he had in common with them, but by what he had and they had not—that residuum was the product not of his time but of himself. The qualities which make Shakespeare Shakespeare could never be compounded by taking this gift from Marlowe, that from Jonson, a third from Webster, and so on through the Elizabethan line.

When they come to political history, these historians see movements but not men. Fatalism, of the lower depressing sort, haunts them. In the largest sense, we are all fatalists: but in our daily affairs and in our moral life we cannot be, for Conscience and Will are undeniable facts, even though they too be regarded as manifestations of universal Fate. Since Destiny operates through

the human will, surely the historian should learn all that he can of the few men through whose will Destiny shapes the course of human affairs at each epoch. The fatalists say that, in the evolution of modern Europe, "Napoleon was a negligible quantity," thereby assuming that the result would have been the same if he had never lived, because some other soldier would have leapt into the saddle and ridden the Revolution. This is mere speculation, which is not the historian's province. But examine it a moment. What are the facts? Dumouriez, Augereau, Hoche, Moreau and many another soldier of the Revolution could not leap into the saddle. Napoleon could and did. Our business, therefore, is not with what might have happened if Napoleon had never lived, but with those special gifts which enabled him to achieve what the rest could not. He did not create the Revolution, but he had the genius, and he alone, to tame it to his private glory. The fatalists urge that circumstances and the right moment really determine: on the contrary, the moment becomes right when genius chooses it. How many times between 1792 and 1795 were circumstances at Paris ripe for such a stroke as Napoleon delivered on the thirteenth Vendémiaire! Till then, it was the man, and not the conditions, that lacked. Or take another example. At the battle of Cape St. Vincent, out of twenty British captains, Nelson alone left the column, made straight for the foe and crushed him. Shall we pretend that Nelson's presence was of no consequence, that if he had not been there, some one else would have displayed his audacity?

I would not imply, of course, that Great Men can exercise their qualities to the full unless conditions be favorable. Many born out of their time, too early or too late, reveal only a potential greatness. The largest dynamo must have the proper conductor through which to drive its power. Had fortune smiled, Doge Andrea Dandolo might have been the centre of such a golden age at Venice in 1350 as Lorenzo the Magnificent actually patronized in Florence in 1490; for Dandolo was Lorenzo's equal in personal culture. Conversely, not every cause has its leader: witness the Crusades. Never before or since has Western Europe been so stirred by a common purpose; and yet, for lack of masterful guidance, one crusade after another either failed outright or gained only a transient success. The masses are imitative, but how can they imitate greatness if its pattern be not revealed to them?

Many a historical crisis hinged on some apparently slight biographical fact. At the siege of Syracuse, there was a moment when the Athenians, whose position had become untenable, could have retreated: had they done so, the outcome of the Peloponnesian War might have been reversed. Why did they not retreat? Because on the fatal night an eclipse occurred, and Nicias, their general, refused to stir. The next night was too late. The destruction of the Athenian power turned, therefore, on the superstition of one general; for there were other generals whom the eclipse did not overawe. Thus does the personality of men tinge events. We must know not merely a man's politics or religion, his generalship or courage or his whims and vices, but his physiology as well. Frederick II put back to land and abandoned his crusade because he could not endure seasickness. The French lost the fruits of Borodino because, on the evening of the battle, Napoleon had a physical collapse which prevented him from giving orders to pursue the Russians. But for epilepsy in youth, which turned him from a worldly life to the priesthood, Giovanni Mastai Ferretti might never have been crowned Pius IX. Lincoln's humor, so sadly misunderstood during the Civil War, is now seen to have been an essential element in his character, enabling him to shoulder for four years the most herculean burden laid on a modern statesman. I cite illustrious examples, but to the biographer no trifling personal trait is negligible.

The importance of the body as the basis of personality is too evident to require comment. The cause of many acts which have altered history is to be sought in the physiological condition of this or that man. Unfortunately, our records are very meagre, and furthermore medical science has not yet reached that state of precision where it can assert positively that a fatal chain of cause and effect connected given pathological symptoms and established deeds. Frederick the Second's seasickness, which put an end to a crusade, is a capital example of the temporary control of the will by the body. In innumerable lives we perceive how disease checks or distorts or clouds nature. We see plainly enough that opium ruined the magnificent genius of Coleridge, debasing a poet on whom nature had lavished almost all her gifts into a spinner of "Church of England cobwebs," and a metaphysician who spent his energy winding and unwinding endless rolls of German philosophy—as a juggler, after showing you that his

hat is empty, conjures clouds of tinsel out of it, causes them to disappear, and then shows you the empty hat again: there was nothing before, there is nothing now. Not less real, although often more subtle, has been the action of disease. The intellect, as in the case of Leopardi or Pascal, may do its work unimpaired in spite of a broken-down body, yet we cannot help feeling that his frightful physical condition determined Leopardi's pessimism, however staunchly he denied it. The same disease, of course, affects different persons differently, because deeper than the corporal wrap is the temperament. Parkman was a victim of nervous exhaustion which has certainly not been exceeded in violence or duration among literary men; but it could not hinder him from producing those twelve volumes of history in which you will seek in vain for a sign of weakness. And there are maladies—consumption, for instance—which seem actually to favor creative writing, as if, in compensation for enfeebling the body, they clarified or etherealized the mind. Witness the lives of Keats and Lanier, of Symonds and Stevenson.

The work in this field of the physiologists, led by Lombroso, has been salutary, although we may well question the rigidity of their conclusions. Recently, such investigations as Dr. George M. Gould has described in his "Biographical Clinics," on the origin of the ill health of De Quincey, Carlyle, Darwin, Huxley, Browning and others point the direction in which medical specialists will turn. We must not, however, concede too much to pathological conditions; that is the error of those who accept too strictly Professor Lombroso's conclusions. Any process which tends to regard genius and insanity as synonymous has itself an insane taint. The morbid psychologists refer all their comparison to the Normal Man; but, when we look closely, we find that the Normal Man is an imaginary being to whom all actual men are exceptions. Once on his guard against confiding too implicitly in the infallibility of scientific apparatus, a perfect biographer should be keen to investigate this side of his hero's life, and to compute the influence which constitutional or chronic ills may have had upon it. By singular good fortune, Boswell had in Johnson a subject whose morbid strata were so apparent that, although Boswell does not write from the modern pathologist's standpoint, yet he discloses to any intelligent reader the source of many of Johnson's idiosyncrasies.

From psychology, too, the biographer will get much aid: yet it is by no means evident whether the real advance in our knowledge of the human equipment will not come through pathology rather than through psychology. Are we not a little imposed upon by new names for old things when we listen to many of the so-called discoveries of the psychologist? We have learned to talk glibly of "reactions," as if they explained anything. We know how long it takes for a pin-prick to be felt, a noise to be heard, a flavor to be tasted; we have photographs of the face in wrath, joy, pain, grief: but have we got any nearer the inner cause? Are these more than studies of the outside, registrations of the bodily vehicles of sensation? To be able to state in what fraction of a second the electric current flashes along the telegraph-wire from Boston to New York, or how many volts it has, tells absolutely nothing about the message it carries, or of the person who wrote the message. If you could put Shakespeare and Dante through the tests of the algometer, would you understand their genius a whit better? Psychology cannot yet penetrate to the causes of personality; but such aid as it can give, the biographer will gladly avail himself of. He will certainly be helped by it to scrutinize his subject more closely, to look in out-of-the-way places for indications of character, and perchance to confirm what pathology has suggested; and he will remember that this science, which is still in its infancy, may have a splendid future. Let him also bear in mind that saying of our master psychologist to-day: "Our knowledge is as a drop, our ignorance is as the ocean."

The truth-loving biographer will welcome the instruments which modern science puts in his hands, but he will beware of trusting them too far. Next to a religious revival, nothing is more likely to promise what it cannot fulfil than a scientific theory just broached. You think you have in it a key to the universe; you discover at last that it simply fits a new-fangled lock to your old front door. If you start with the purpose of proving a doctrine, you will surely fail. Taine, in so many respects the most important French mind of his time, more than once came to grief when he tried to apply his theory of the "moment" and the "environment" to special cases. Trusting to his formulas, he insisted that Alfred Tennyson must have grown up amid luxurious surroundings, and given himself over to a voluptuous life. The

truth was, of course, that Tennyson was the son of a poor clergyman, that until forty years old he lived most frugally on a few hundred dollars a year, writing his poems in the blank leaves of a butcher's book. Yet Taine was so sure that poetry so gorgeous could not have sprung from such an environment, that he refused to believe the truth. Let the biographer, therefore, free himself from every theory of life and method: the only prepossession allowed him is admiration for his hero, since only by that can he possibly come to an understanding of his hero. In the long run, enthusiasm, though it result in exaggeration, serves better than disparagement to reveal the real stature of a man. Time will correct the enthusiast's magnification; but the belittler's underestimate merely measures himself. When a critic writes, "Emerson is not always as shallow as he seems," we suspect that Emerson's shallows will be deep enough for his critic to drown in.

Let us examine more closely the chief objection brought against the biographic treatment of history,—that it causes us to see human development out of focus. In studying the Napoleonic era, for example, the complaint is made that it transfers our attention from a myriad details of European society, law, politics, war and education, to the opinions and deeds of Napoleon; so that presently we begin to imagine that these colossal facts have only secondary importance compared with what he willed. The evolution of a nation, these plaintiffs might say, may be compared to the growth of a forest, whose millions of trees belong to the same species and have a common stock of soil and climate; how inexact to regard the one giant pine which, thanks to some slight favoring inequality of condition, overtops the others, as if it were of a different higher species. Under similar conditions, any one of its fellows might have grown as tall. Just as the scientific study of the individual, if pushed too far, results in the creation of a fictitious Normal Man, so the doctrinaires who "account for" great men on the theory that they are as wholly the product of their time as trees are of soil and climate, are forced to create a more or less imaginary "time" to produce them. They pick out certain elements of Dante's time, let us say, and frame them into a machine which could not help making Dante; and then they triumphantly assure us that they have "accounted for Dante." But surely this machine, so vast and intricate, composed of all the actual hopes and deeds of that age, and of all the traditions which

it kept alive from the past, ought to have produced nothing but Dantes, a whole population of Dantes, instead of a single specimen: in fact, however, it produced a Boniface VIII, a Cavalcanti and innumerable other strongly individualized persons unlike him and mutually unlike. This is as if, after we had been told that a century-plant puts forth only one flower before it dies, we should find it bearing roses, violets, goldenrod, deadly nightshade, and scores of other varieties, season by season. The Normal Time, be it that of Cæsar or Charlemagne, of Hildebrand, Dante or Luther, of Washington or Bismarck, is a fiction which might be respected if it did not cause so much misunderstanding. Every sophomore is provided with stock explanations which he firmly believes explain, and, what is worse, his teachers believe it too. We all have our store of cant phrases—"ages of faith," or "of doubt," "the age that built cathedrals," "the scientific age"—with which we instinctively mask our ignorance: as if everybody in the twelfth century built cathedrals, or everybody in 1850 was a doubter! It has become the fashion to select some trait and write a history round it. Versatility was a characteristic of the Elizabethan age; the American emigrants came out of that age; therefore Professor Wendell twists American literature into such shape that it seems to be the continuous revelation of Elizabethan traits. But he labors in vain: "The Day of Doom," Cotton Mather, Franklin, Jonathan Edwards, Joel Barlow, and so on down to Bryant, Irving, Cooper and their successors, were not in the least Elizabethan. One might more plausibly trace the decadence of English statesmanship during the past half-century to the vacuous fashion of wearing a monocle, which, of course, precludes seeing clear or straight; or the decadence of the French to their high-heeled boots, which render a solid footing impossible.

The practice of assuming the conditions that you need to "explain" a celebrated man has gone so far that those who have it do not see its absurdity. It makes writing easy; it gives a certain pleasant air of superiority to a critic or historian; it encourages him to think that he has indeed been permitted to peep behind the veil, and see the causes of things. How confidently Mr. Mabie, for example, discourses in his recent essay on Poe:

"Emerson, Lowell, Holmes, Whittier, Bryant, Irving, and, in certain aspects of his genius, Hawthorne, might have been predicted; reading

our early history in the light of our later development, their coming seems to have been foreordained by the conditions of life on the new continent; and, later, Whitman and Lanier stand for and are bound up in the fortunes of the New World, and its new order of political and social life. Poe alone, among men of his eminence, could not have been foreseen."

Wonderful, Mr. Mabie! You say in 1899 that you could have predicted in 1839 the coming of all these authors except Poe—and a part of Hawthorne! Why except these? To claim everything would cost you nothing! But since you were debarred from winning the prophet's crown in 1839, as you had not then been born, why do you not tell us who are foreordained to be the great American writers twenty years hence? or why did you not, in 1885, reveal so evident a bit of predestination as that the next remarkable British author, Rudyard Kipling, should within five years emerge from a journalist's den in Benares? The Past belongs to nobody, the Present is pre-empted, but the Future is common property, and offers a fair field to predictions that may or may not be verified.

I cite Mr. Mabie because he passes for an authoritative critic; he simply is the victim of the prevailing system, which has come about from wrenching evolutionary doctrines out of their proper sphere. Take up almost any literary history, and you will find in it the same vicious results. The efforts of the literary historians to deal with romanticism, for instance, are amazing. They invent a formula which they proceed to apply to all writers of the first half of the nineteenth century. The same formula "accounts for" Shelley and Dickens, Byron, Bulwer, Tennyson, Mill, Macaulay, and all the rest. The epoch of Romanticism of course produced Romanticists. Keats was so indisputably a product of his time and conditions—have we not every-day proof that the sons of stablemen take to reading "The Faerie Queene" and classical mythology, and to writing exquisite poetry? If you but recall, it was the fine, rich, wholesome, barny fragrance of "Endymion" which charmed you!

The time will doubtless come when the fatuity of inventing general formulas to explain men of the most highly specialized and contradictory genius will be too patent to require demonstration. Then for an historian to clap the label "Romanticist" on three such different backs as Byron's, Carlyle's and Keats's will

be seen to be as absurd as to "account for" a camel, a cat, an elephant and a squirrel by saying that they are all quadrupeds; or to account for the oriole and the gypsy-moth by their environment because they inhabit the same elm-tree. Not science, but a mirage of science, causes these aberrations. Possibly, science may discover means now unknown to us for really fathoming the mystery of personality. If it does, we shall know why it was that, among seventeen Franklin children, one was Benjamin and the rest nobodies; or why, among scores of boys bred at Stratford between 1560 and 1575, one was William Shakespeare, and the others, so far as appears, had not one whit of his individuality. But until such means be discovered, let us refuse to be fooled by cheap and specious explanations; and let us not mistake for critical insight the prophesying to-day of things which happened before we were born.

I would not be misunderstood, however, in my endeavor to point out the delusions which flourish under the name of science. Nobody accepts more fully than I do the teachings of evolution, but it is because I believe them to be true, and invaluable in their proper place, that I protest against their misapplication. History must have some unifying principles. If we saw only individuals, the writing of history would be as impossible as to paint a landscape in which every separate blade of grass should be clearly defined. Broad generalizations become indispensable, and no one questions that each epoch—nay, each generation and decade—has certain distinguishing features. But the cardinal error comes when we begin to account for the men of genius, the few conspicuous exceptions, by the formula which we have agreed upon for their time. In general, it is perfectly safe to say that Germans have characteristics unlike those of Frenchmen; but we shall be mightily deceived if we expect every German and every Frenchman to exhibit his national characteristics. Who is your typical German?—Goethe? Schopenhauer? Bismarck? William II? And your Frenchman?—Is he Hugo? Thiers? Comte? Gambetta? Zola? Pasteur? There are Frenchmen saturated with what we choose to assume are the characteristic German virtues: so there are Germans not deficient in French *esprit*.

The truth is that the *Zeitgeist*, or spirit of the time, is not so single as we are apt to assume: hence, another cause of error, when we try to explain genius, or even ordinary men, by the *Zeitgeist*.

The same era affords sustenance for the most antagonistic personalities. The same *Zeitgeist* guided Leopardi into the Plutonian wilderness of Pessimism whence he never emerged, and Manzoni to the altar of the Roman Catholic Church, where he knelt devoutly all his life. The same *Zeitgeist* breathed round Newman and Mill, Jowett and Martineau, Clough and Maurice; nay, to drive the paradox home, all of us to-day are presumably undergoing similar general conditions, yet with such widely different results that we should resent the suggestion that we have been cast in one mould. The *Zeitgeist,* therefore, is as slippery and changeable as old Proteus—a convenient symbol for general attributes, but quite incapable of explaining individuals. And so we are brought by another path to the conclusion that we can best understand history by studying it through the lives of actual men and women. When we have once felt the plasticity of human nature, the infinite play of variation, the apparently boundless sweep of possibility, and the incalculable effects of Fortune, we shall discard any system which pretends to reduce the world to a series of pigeonholes, or men to marionettes, and which substitutes for the holy mysteriousness of life a garish hypothesis.

And so to conclude. The outlook for Biography, that branch of history which has hitherto been least successfully cultivated, was never more bright. Science constantly invents new instruments for measuring human faculty more accurately. The art of fiction has been teaching us to distinguish the nicest variations of character, and to trace the rack-and-pinion interaction of cause and effect. The issues of life were never more interesting. We stand on the threshold of a new era, in which the individual shall be magnified as he never was before. Pessimists say that Democracy—the railroad, the newspaper, and machinery—tends to reduce the world to a dead level of uniformity: that, as local variations fade away and racial characteristics are rubbed down, the commonplace, the dull, the vulgar, will more and more prevail. This I do not believe. The mighty agents which have been at work for a century have simply brought within reach of millions the necessaries of material and intellectual life which could formerly be enjoyed by only a few. Can what lifted the thousands degrade the millions? These agents, properly viewed, win multitudes from the plane of Instinct to the plane of Will. As the size of the mass

increases, the field broadens from which the highest types can spring. Democracy means opportunity for variation, and variation is the cause of striking personalities, as the nineteenth century showed.

Since the material and the method exist, is it vain to hope that Biography, taking a fresh start, will go on improving until its masterpieces shall be as many and as excellent as those of the other great arts? May not the lives of real men be written as imperishably as the supreme creations of fiction? Shall Hamlet and Othello, Don Quixote and Tartuffe, shall the master creations of Hawthorne, Thackeray and George Eliot, of Turgenieff, Manzoni and Balzac, have no counterparts in Biography? The spell of the human reasserts itself. We cannot habitually satisfy ourselves with the cosmic point of view. We are not born to look at life through either telescope or microscope, but with our naked eyes. We are men: neither angels nor demons can interest us as much as our fellows.

WILLIAM ROSCOE THAYER.

CONDITIONS IN MOROCCO.

BY PHILIP FRANCIS BAYARD.

Morocco and things Moroccan have recently received so much publicity in America as a result of the Perdicaris affair, that it is now hardly necessary to state, as it would have been a few months since in speaking to most Americans on the subject, that Morocco is a land distinct from Algiers both geographically and politically, and, although by geographical position the most western of Moslem countries, she still remains, by her obstinate conservatism and by the spirit of rude independence of the Berber tribes who make up two-thirds of her population, the bulwark of Islam, fanatical and uncompromising.

For many years past, tourists in making a "side trip" in Morocco have wondered how it was that this rich country, lying at the very doors of Europe, and in sight of whose shores passes such an enormous volume of the world's trade, has so long escaped the penetration of the modern world, and occupation and partition by the World Powers. They have almost invariably come to the conclusion (after a day or two spent in Tangier in the company of those cheerful liars, the guides) that the dawn of European occupation is at hand; that to-morrow will see the opening and improving of Moroccan ports;* the day after, the building of roads, bridges, and railways, etc.; and that they are lucky in having reached Morocco in time to see the "real Eastern thing," while Western civilization is thundering at the gates.

* Tetouan, Tangier, El Araish, Rabat, Mazagan, Saffi and Mogador are open to commerce. In all these ports, vessels have to anchor at a considerable distance from shore and discharge their cargo on huge barges propelled by oars. Tangier is the only port that remains open practically the whole year. Landing or embarking at the other ports is often rendered impossible by wind and weather for days or even weeks at a time. The remaining ports, Azila, Mehediah, Azemmour and Agadir, are closed to commerce.

The tourist who has revisited Morocco after an absence of five, ten, or even fifteen years, has found, indeed, signs of the growth of European activity in Tangier and some of the other coast towns; but, as for the penetration of European ideas and methods into the interior of the land, he finds no more sign of it than before, no railway, bridge,* or telegraph,† not even such a thing as a made road. Travel and commerce still wear for themselves across the country irregular and uneven tracks, in summer choked with dust, in winter deep in mire. For want of bridges, travel and commerce, with their trains of mules and donkeys, still wait on the pleasure of the subsiding flood, an hour, a day, or weeks if need be, just as they have done for a thousand years past, just as they expect to do for a thousand years to come. European merchants and adventurers long resident in the country smile incredulously when passing globe-trotters announce to them the impending inevitable transformation of Morocco. The cry of "Wolf! wolf!" invariably followed by the non-appearance of that animal has so often rung in their ears that they have ceased to believe in him. The change that was inevitably impending yesterday, and that inevitably impends to-day, may well continue to impend inevitably forever. Morocco, like the ball sustained in mid-air on the jet of the fountain, ever tosses but falls not into the water below.

As children, we have watched such a fountain with delighted eyes, wondering that a thin jet of water could sustain the ball, and expecting every instant to see it fall. A little to the right, a bit to the left, and the ball must escape; but we have watched in vain for its fall, for, if the jet of water does not fail, the ball may continue to toss forever. Morocco is such a ball. The European Powers are the fountain, and their irreconcilable jealousies have ever been, and may well continue to be, the unfailing jet of water on which the ball maintains

* One can count the bridges in Morocco (outside of Tangier) on the fingers of one hand.

† Tangier is connected with Europe by three telegraphic cables—one English to Gibraltar, one Spanish to Tarifa, and one French to Marseilles *viâ* Oran. Of these, the English is most patronized. The Spanish cable is out of gear on an average of six months in the year. There is an overland wire to Cape Spartel lighthouse, six miles distant, maintained at the joint expense of the Powers represented at Tangier. This lighthouse is, with the exception of Tangier Light, the only one on the Moroccan coast.

itself in mid-air. Of late, the fountain has shown signs of change; and the ball, tossing on a diminishing jet, seems to be at last on the point of falling. So it seems; but there are indications that the jet of water, spouting forth again with renewed vigor, will send the ball tossing merrily upward, high as before.

It is difficult for an American to form a just conception of the conditions of government in Morocco, almost as difficult as it is for a Moor to form an idea of existing political conditions in Christian lands. The Sultan's nominal dominions extend from east to west some four hundred miles, and from north to south some eight hundred and fifty; but his actual authority is exercised only in spots over this vast territory, according to time and opportunity. Following the Moorish expression, the country may roughly be divided into Blad-el-Makhzen, or subdued territory, and Blad-es-Siba, or unsubdued territory.* Blad-el-Makhzen comprises in normal times the inland towns of Fez, Miknas, Marakesh (Morocco city), Teza, Oujdah, El Kasar, Tafilet, and Taroudant and the contiguous plains; also the whole of the Atlantic coast, with its towns, from Tangier to Agadir, and Tetouan on the Mediterranean with the mountainous country bordering the Strait of Gibraltar. All the rest of Moroccan territory, *i. e.*, about three-fourths of the whole, is included in Blad-es-Siba. But the boundaries between the subdued and the unsubdued territories are ever shifting according to the relative power of aggression of the Sultan and the power of resistance of the tribes. But, although the Sultan's political authority is so far from being universally obeyed, all Morocco, including Blad-es-Siba, reveres him as the religious head of Islam, and pays him tribute, real or nominal, accordingly.

The policy of the Sultans has always been to sow discord among the independent tribes, to set them at each other's throats, and, by throwing the imperial sword into the balance at the opportune moment, to extend Blad-el-Makhzen and hold Blad-es-Siba in check. Your true Moroccan has respect for but one thing —namely, force. In his eyes, clemency and gentleness have ever been signs of weakness and incapacity. The Sultan who rules by violence and cruel oppression commands the respectful

* Blad-el-Makhzen, literally, "government country"; Blad-es-Siba, "country without government."

obedience and admiration of his subjects:* he who sought to rule by other means would be regarded as little better than a fool.

We of the Western world who have sought to understand the Moor and to make him understand us, to live his life, to see with his eyes and hear with his ears,—try as we may—have found our efforts all in vain. Between me and my companion, by whose side I have journeyed day after day, who dips his hand with me in the dish, there is a great gulf fixed which I cannot pass, which he would not if he could. He is of the year of the Hegira, 622, and I of the year of grace, 1904. I shall never read his heart aright nor he mine.

> "The unfathomable sea and time and tears,
> The deeds of heroes and the crimes of kings,
> Dispart us, and the river of events
> Has for an age of years to East and West
> More widely borne our cradles."

The idea seems to prevail in Europe that, if the Moor could only see what we are pleased to term the blessings of civilization, he would be eager to bring down the shower of blessings that he knows is only waiting for an opportunity to fall upon his country. So he would, if he could look through our eyes; and so we would not, if we could look through his. To him, road, railways and the telegraph mean the entry of the European, the gradual abomination of a Christian occupation, and the establishment of a Christian government. He is willing enough to trade with the Christians, and to let some of them reside in his country to facilitate commerce; he realizes that he could not do without the services of the "necessary," though not "harmless," Moroccan Jew; but as for the opening up of the country, the breaking down of the last barrier that protects his ancient mode of life and thought from the threatening flood of foreign abominations, the Moors are practically unanimous in their determination to do all in their power to prevent it. Undoubtedly, Moors of position and influence have expressed a contrary opinion *to Europeans.* A Moor will never say "no" squarely to any man, except it be to one completely at his mercy. In conversation he will be of whatever opinion you please. Thus

* Such a one was Moulai Ismail, in whose reign the English were forced to abandon Tangier (1683). The Moors long spoke of him with affectionate regret.

the French have discovered that, among all Europeans, the Moors find *them* the most agreeable. The English and Spanish have also made the same discovery in regard to themselves. The fact is that, in his heart of hearts, the Moor finds that the most agreeable Europeans are those who remain in Europe, the most disagreeable those who come to Morocco.

At the present moment this distrust and dislike of foreigners is directed principally against the French, who are now, by the Anglo-French treaty (April 8th, 1904), left at liberty, as far as England is concerned, to carry out their declared policy of pacific penetration. This policy can only be carried out through the acquiescence of the Moors themselves; and, as they are determined to resist it by every means in their power, it is evident that real penetration can be accomplished only by the forcible conquest of the country. The fact is that the French are incapable of making a pacific penetration in any part of the world. They can no more make such a penetration in Morocco than they have done in Algiers. The history of their operations for the past seventy years in Northern Africa proves this only too clearly. France will be compelled sooner or later to use force; and in that case, no doubt, England will enter Morocco with her, and Germany (so utterly disregarded by the recent Anglo-French agreement) will not miss the opportunity to take a hand in the game and insist on a suitable share for herself. As for Spain, it appears that, by the treaty signed recently at Paris, the terms of which remain secret, Spanish susceptibilities have been soothed and the Spanish "face" saved. The possible concession of zones of influence or commercial privileges in Morocco that Spain may have received by the treaty may well remain a matter of indifference to the French public. When with grave courtesy you offer to your neighbor, a paralyzed octogenarian, the privilege of mounting your thoroughbred whenever he may feel so inclined, you hardly anticipate that your own use of the animal will ever be interfered with. Spain has held Ceuta on the Strait, and the Zafarine Islands, Melilla, Alhucemas and Peñon de Velez on the Rif coast, for several centuries;* but her influence and authority do not extend for more than the distance of a rifle-shot beyond the walls of these possessions, which serve

*** Melilla since 1479; Peñon de Velez since 1564; Ceuta since 1580; Alhucemas since 1673; Zafarine Islands since 1848.**

the mother country as penal settlements and the government as places for hungry office-seekers. Spain is manifestly powerless to reap any benefit from a zone of influence in Morocco, or there to establish herself in such a manner as to become in any way a menace to French interests.

The present Sultan, Moulai Abd-el-Aziz, came to the throne in 1894 at the age of fourteen years. For the first six years of his reign, the actual government of the empire was in the hands of the all-powerful vizier, Sid Ahmed Ben Mousa; but, on the death of this functionary in 1900, the young Sultan showed a decided disposition to follow his own inclinations rather than the wishes of his advisers. Among the new ministers called to power after the death of Sid Ahmed, Sid Mehedi-el-Menebhi, as Minister of War, soon became the all-powerful favorite.

The imperial court divides its time between Marakesh (Morocco city) the southern, and Fez, the northern, capital. The periodical presence of the court in both cities and its triumphal progresses across the country produce a wholesome impression on the inhabitants, and cause them to bear in mind the might and power of the imperial government. Another object accomplished by this dual residence is to discourage the attendance on the court of importunate representatives of foreign Powers. Tangier has been assigned to the representatives of the Powers as their place of residence. Here they treat with a sort of imperial delegate unfurnished with plenipotentiary powers. Their claims must constantly be referred to the court at Fez or Marakesh, thus ensuring the workings of a perfected system of procrastination and delay worthy of an Oriental imagination.

In the month of November, 1901, the Sultan, after a sojourn of some years in Marakesh, set forth to return to the North and take up his residence in Fez, making his imperial progress by way of Rabat (on the Atlantic coast), for the direct route to Fez traverses a section of Blad-es-Siba, where His Majesty would have to fight his way through. The Moroccan ambassadors, sent some months previously on missions to Paris, St. Petersburg, London and Berlin, had recently returned and imparted to the Sultan their impressions of European civilization. During his stay of two months in Rabat, he received an English, a French and a German mission. In the wake of these missions, followed a motley crowd of European claimants, commercial agents and

adventurers; and it was then that the Sultan's proclivity for things European first manifested itself in a manner to attract the attention of the outer world, and at the same time to become a source of scandal and offence to his own people. There began that flood of orders for English thoroughbreds, bicycles, automobiles, photographic material, mechanical toys, steam and electrical engines of all sorts, cabs, carriages, narrow-gauge tramways, etc., etc., which, after the court had installed itself at Fez, rose higher and higher, until the apparition of the Pretender, Bon Hamara, among the tribes in the neighborhood of Fez, compelled the Sultan to put a check on his European inclinations.

The pro-European policy, or rather pro-European drift, of the young Sultan, and the internal disturbances of Morocco occasioned thereby, are largely due to the influence of two men, El-Mehedi-el-Menebhi (now in disgrace) and Kaid Sir Harry Maclean. Kaid Maclean, formerly an officer in the English garrison at Gibraltar, held for many years the post of military instructor at the Moorish court. This personage, though not much in evidence during the reign of Moulai Hassan, acquired from the beginning of the new reign a considerable influence over his successor. He gradually became the confidential friend and adviser of the young Sultan, his master of ceremonies when Europeans were to be introduced at court, and a sort of political, commercial, and financial agent for the government. El-Mehedi-el-Menebhi, who was for some time a common soldier in the service of the old vizier, Ahmed Ben Mousa, who exercised what was practically a regency during the first six years of the present reign, was assigned the portfolio of War in 1900, and rapidly became the favorite minister of Moulai Abd-el-Aziz. When Moorish embassies were to be sent to several European capitals in 1901, Menebhi was chosen to head the mission to London, and with him was sent Kaid Maclean. Their negotiations in London were apparently of a nature highly satisfactory to the British government. Upon Menebhi was conferred the Order of St. Michael and St. George, and Kaid Maclean (henceforth Sir Harry Maclean) was created a baronet. It was after the return of this mission to Morocco that the attempt of the Sultan to introduce radical reforms into the administration of his government, combined with his notorious taste for European amusements and the society of Europeans, caused the smouldering

sentiment of protest and revolt among his people to manifest itself in the rebellion of Bon Hamara.

This rebellion, which has now dragged on for more than two years, has only once seriously threatened the existence of the Sultan and his government (December, 1902). Some of the tribes of Blad-el-Makhzen have profited by the occasion to exact arms and money from the government as the price of their loyalty. They have naturally not failed to seize the opportunity to settle old scores between tribe and tribe, and to recommence a system of intermittent brigandage along the caravan routes. In the kidnapping of Messrs. Perdicaris and Varley, we have seen how that intelligent and enterprising individual, Raisouli, even succeeded in making a tool of the American and British Governments to serve his purpose in extorting money and other concessions from the Sultan. But the tribes have so little cohesion among themselves, and so little desire for anything beyond the satisfaction of their immediate local interests, that anything in the nature of a general and concerted movement on their part (except in the case where the imperial government is strong enough to force it on them) is not to be expected. The only thing that could, and would, produce such a movement would be the invasion of Morocco by a Christian foe.

The expenses of the war, added to those incurred to satisfy the vagaries of the Sultan and the covetousness of his viziers, have forced the government to contract further debts, principally with the French, thus strengthening the hands of France in her dealings with Morocco. At the same time, the eyes of the Sultan have been opened to the danger of attempting to force the latest methods of European administration upon a people hitherto living under the patriarchal system of Koranic law;* this would be a pouring of new wine into old bottles with a vengeance, which could only result in disappointment and disaster.

El-Menebhi has been made a scapegoat for the disasters that have fallen upon the government since the "modern" policy was inaugurated. Whatever his faults may be, he is at least not lacking in courage and presence of mind, and it is very doubtful whether his successors will act with any more wisdom and judgment than he.

* The Koran is the basis of Moorish law. The Moorish code makes no distinction between civil and criminal law.

Up to date, the "*pénétration pacifique*" of the French into Morocco amounts to the following: A French company has obtained a contract from the Sultan to build the new custom-house at Tangier. The Sultan has assigned sixty per cent. of all customs dues to the payment of his French debts. A French official has been delegated to each one of the open ports to receive the sums due. The Sultan has been forced into contracting new debts in France. A swarm of French adventurers of all sorts, many of them from the French colonies in North Africa, and among them a fair sprinkling of *bona-fide* settlers with money to invest, lured by the picture held out to them in the French press of a new and rich colony for French colonization, an El Dorado ready waiting to be developed by French enterprise and industry, has poured into Tangier and some of the other coast towns. They have found the cost of living in these towns higher than at home, and the price of real estate as high or higher. They have found that, even where land can be purchased outside of the towns (and the Moorish officials do all they can to prevent its purchase by Europeans), the present insecure state of the country, likely to be prolonged indefinitely, makes the occupation and exploitation of such land absolutely out of the question. Many of these people have already left Morocco in disgust, and not a few have had to ask financial assistance of the French consul in order to return to their homes.

One word more about the Moors. As to the cultured Moors and those whom contact with Europe and Europeans have rendered capable of forming an intelligent opinion in the matter, they seem to think that, in the face of many troubles, internal and external, Morocco will continue to maintain her integrity, in spite of all Christians in general, and of the French in particular. And, as for the great mass of the people, they cherish deep in their hearts that maxim which has always been the solace of the Moor in hours of doubt and disaster: "*Din ennebi irghleb*," "the faith of the Prophet shall be victorious at the last."

PHILIP FRANCIS BAYARD.

POVERTY: SOME SUGGESTED REMEDIES.

BY G. P. BRETT.

In Mr. Robert Hunter's remarkable study of Poverty, which has just been published, is given an array of figures which are appalling on account of the distress and suffering to which they call attention; but Mr. Hunter's book, while convincing in its figures, is even more so in its verbal descriptions of the want and destitution which prevail wherever population gathers itself together in towns and cities. It is not, perhaps, a new condition which Mr. Hunter brings to our notice, although the increase in poverty and want is growing much faster, in proportion, than the population of our larger cities; but it has never before, I believe, been so adequately set forth or in a form which is so convincing and interesting, even though it may startle those of us who believe that, in the boundless prosperity of our great country, none may starve or suffer except through fault of their own.

Mr. Hunter would define poverty, as I gather from his pages, as a condition or disease under which the sufferer is underfed, underclothed, and badly housed,—which last term in city life would mean living in an overcrowded tenement, with all the evils, that have been so often described by Mr. Jacob Riis and others, which accompany such overcrowding; and he finds more than ten million individuals in the United States (or something less than one-seventh of the population) in this state of poverty, some throughout the whole year, and some only during a certain part of it. Mr. Hunter's figures, too, include, as I understand it, those who lack only a few of the necessaries of life, as well as those who are in the direst distress; but all in this vast army, in the most prosperous of all the nations of the earth, suffer hunger, feel the pinch of winter's cold without sufficient clothing, and are without any shelter that may properly be termed a home.

While Mr. Hunter's book is chiefly an account, and a most interesting one, of the conditions of poverty throughout the country, he does not, I gather, hope or look for any great improvement in these conditions during the existence of our present methods of economic distribution, except as such improvement may result from the individual or combined efforts on the part of the charitable workers, which, as has been too often proved, may not seldom be said to extend and foster the evils which they are intended to cure.

The aim of this article is not to discuss Mr. Hunter's very able book, for which task indeed the present writer's equipment is insufficient, but to endeavor to point out some facts in our modern life, of which able and constructive minds might take advantage with the result of banishing much of the want and hunger to which Mr. Hunter calls our attention.

Mr. Hunter estimates that in the city of New York not less than fourteen per cent., nor perhaps more than twenty-five per cent., of the entire population (the exact figures being difficult to obtain), suffer from poverty, and that a very large percentage of this poverty-stricken class suffer in the direst way from want and hunger. Yet within a hundred miles of the great city lie hundreds of abandoned farms, thousands of acres of unproductive land, much of which affords excellent pasturage and will grow excellent hay, and much will grow corn and other produce on a small scale. Not only is this true, but, within the confines of the territory that I have named, there are allowed to go to waste each year thousands of bushels of apples, garden-stuff, and other produce, much of it being left ungarnered to rot on the land, which would, at any rate, if of no great commercial value, tend to ameliorate the distress to which Mr. Hunter calls our attention, if it could be placed within the reach of the distressed classes.

These waste acres, these abandoned farms to which I have referred, can be easily found by any one who seeks them; and a very short experiment will prove them capable of producing crops, not adequate, perhaps, in comparison with the crops that may be grown on the Iowa and Indiana bottom-lands, but crops that will compare favorably with those of many other sections of our country.

It must be borne in mind, however, that the part of the coun-

try to which I am referring is, by the contour of the land as nature left it, designed to be the country of the small farm of ten acres or so, and that it is, accordingly, especially well fitted for the experiment I am advocating, which is, in brief, that these unused lands shall be made to feed our starving people from the results of their own labor upon it.

The farms being small, it is necessary to bear in mind that a ready market for the produce from them must be secured, as the present methods of marketing produce in New York from the adjoining territory will not avail for the small farmer I have in mind, the present freight rates, together with commission and packing charges, rendering quite impracticable the shipments of small quantities of produce from such small farms, close as they are to the city.

On several occasions I have myself sent apples, potatoes, onions and other produce, from a small farm in Connecticut, only to sustain a net loss on the shipments, after paying the many charges to which they are subject; while milk at such farms brings only two cents a quart in summer and three cents in winter, the balance of the price paid in New York being consumed by freight and handling charges.

I shall not endeavor to point out how the difficulties I have mentioned are to be overcome, but let it suffice to say that there is land enough available, and cheap, which if properly cultivated would feed, and feed well, a far larger distressed population than now suffers unrelieved among us.

Whether the task of making these waste places feed our present starving peoples shall be undertaken by a band of philanthropists who will purchase the lands, put colonists on them and provide means of bringing the produce to market within the reach of the poor purses of shipper and consumer; or whether the common people, urged on by the socialistic propaganda now so actively and ably set forth by many of our younger writers, and wearying of our present methods of distribution, shall confiscate the unused lands and take over and squeeze the water out of the stock and unnecessary expense out of the management of the railroads, no one can now foresee; but it seems probable that we shall, sooner or later, in one way or another, devise some means for relieving a destitution wholly unnecessary, and even criminal, in view of the unused acres of productive land lying at our doors.

An editorial writer in one of our evening newspapers not long ago called attention to the antiquity of the servant problem, quoting, among other writers, Defoe, in an effort to prove that the difficulties of obtaining adequate household service were just as great some hundreds of years ago as they are at present. Clever as was this writer's argument, there can be little doubt, in the minds of those acquainted with the modern aspect of the problem, that its difficulties from the standpoint of the employer are increasing year by year, and that these difficulties are probably the cause of much of the avoidance of home responsibilities, for which, as has been recently pointed out, the Americans as a people are to be reproached.

Not only do the wages of indoor and outdoor servants continually increase, and out of all proportion to the value of the service rendered, but those seeking employment of this character become year by year more exacting in their demands for what they term their rights, until in a moderate-sized household there is usually one servant at least "out" on every afternoon of the week; and the tendency of servants to leave a place, in the event of the slightest inconvenience or discomfort, has risen to such a pitch that in many households the comfort and convenience of the servants must, of necessity, be studied and catered to before any thought is given to the wants of the employer.

The conditions to which I have called attention in the preceding paragraph are, I may mention here, exactly the reverse of what is taking place in business, as far as minor clerical positions are concerned, where the present tendency is towards lower wages, and where clerks remain, year after year, in the same poorly paid positions and without hope, in many cases, of advancement. In fact, a porter or packer in many business houses will receive a smaller yearly wage than a useful man in house service, who also receives, in addition, his food and lodging; and thousands of women who work in clerical positions receive far less in wages than the well-fed and pampered individuals who consent to do our household work.

It is not, perhaps, the highest type of life, that of the house servant, particularly as in most cases it prohibits the home and family to those so engaged,—which we have recent authority for stating as the American ideal; but to many thousands of those sufferers from distress and want, whose case Mr. Hunter has so

ably set forth, house service would open a fascinating vista of relief from hard work to easy hours, lighter tasks, and well-fed prosperity.

With a little aid from a well-equipped training-school, many of those whose lives are now one constant and unceasing struggle with poverty could enter the ranks of this calling, which, if not among the highest ideals of American life, will still give employment at once easy, healthful, and well paid, and in which there are thousands of unfilled positions at all times, owing to the impossibility of getting applicants for them.

If the limits of space permitted, it would be easy to go on and point out other occupations, in addition to the two cited above, in which with a little judicious aid many of our starving millions might find employment; but enough has been said, I think, to prove that these are directions in which our charities might be far more wisely expended than in the indiscriminate giving which is so largely a feature of our present system. The fact is that the great and increasing complexities of our modern social and industrial life seem to require a new addition or department to our city governments—a bureau of employment and information in which can be brought together those needing employment and opportunity and those having occasion for such services.

Such a bureau, however, will have to be managed on different lines from some similar enterprises which are already a feature of our so-called charitable work, in an employment agency of one of which you may obtain, with great promptness, assistants whose character and honesty have never been inquired into, and whose services are of no value and would be dear at any price; or where, in another, you may have your laundry work done, to be returned full of holes from the acids employed in their cleansing, and display what thankfulness you may if they are not, in addition, contaminated by dirt and vermin.

Let us take, then, a few thousands of dollars out of the many thousands that are given away each year in indiscriminate and pauperizing charity, and found a school and bureau for the training of outdoor workers and farm-hands, and for getting or making places for these when trained. More such vacancies exist at all times than we could supply trained hands for after years of work, to say nothing of the small farms so necessary to be

made and tilled out of the idle lands lying all about us. A similar training-bureau (attention being paid to character and responsibility in both institutions), for female servants and which could be established and maintained at comparatively small cost, would become in turn a priceless boon to employer and employed, and do much to bring about the only millennium possible for this world, when every man would have his appointed work—the reverse of which is the rule to-day, when the poor and dispirited seekers for work, to the number of thousands daily, able-bodied and willing, but without special training, may travel many miles and suffer all hardships without finding work for willing hands to do.

G. P. Brett.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: PARIS: WASHINGTON.

LONDON, *January, 1905.*

THE Alien question in England, as elsewhere, is mainly the Jewish question. In its acute phase, it is confined to London. There are Jewish colonies of alien and unskilled laborers in Manchester, Liverpool, Hull and Leeds; four or five per cent. of the miners in the Lanarkshire coal-mines are aliens; and Italians have recently been imported to work certain Northumberland mines. But, when the Alien Immigration question is spoken of in England, what is meant is the question of the settlement of Russian and Polish Jews in various districts in the East End of London. Americans, as they have had to face this problem on a tremendous and unprecedented scale, will probably make light of England's difficulties when they hear that the number of aliens in the East End, including the children of foreign-born parents, does not exceed 80,000. But these 80,000 have succeeded in raising the issue in a form that is, perhaps, more aggravated than anything that is known in New York. I speak with diffidence on the subject—it is well-nigh impossible to compare and estimate degrees of poverty and wretchedness and to trace their effects below a certain level. But I should be surprised if it could be proved that there is anything in the circumstances of the festering East Side of New York more disastrous and depressing than in Stepney or Spitalfields. Into the least prosperous and most congested districts of the East End there has been this constant influx of aliens from the poorest and most backward regions of Eastern Europe. They come bringing with them a lower standard of living than obtains among the native population; they congregate, by instinct and unbroken racial tendency, *en bloc;* and they neither assimilate their new neighbors nor are assimilated by

them, preserving in all countries and under every variety of fortune their traditional and impregnable aloofness. The broad results of such an influx may be easily summarized. In the first place, congestion becomes worse congested, rents rise with abnormal rapidity, and the quality of the accommodation declines in proportion. Secondly, the native is expropriated, displaced and forced to move elsewhere, if he is to maintain his British standards of decent living and not fall to the level that prevails in the Russian Pale. Thirdly, an intense and inhuman competition arises, with the inevitable result of lowering wages and degrading industrial conditions. I hesitate to quote statistics; but I believe it to be a well-established fact that the alien population of London furnishes more than its due proportion of crime and vice and destitution. What cannot be measured in statistics is the enmity that yearly increases between the native and the foreign elements. Anti-Semitism has rarely any religious basis whatever. Almost without exception, it is the economic protest of men who find themselves undersold and driven to the wall, by competitors who belong to a lower material plane. Such is its origin in the East End, and witness after witness testified before the Royal Commission that Anti-Semitic outbreaks were among the probabilities of the near future.

I need not go into the familiar results that flow from the settlement of alien immigrants within English-speaking districts, They may all be seen in the East End—the native turned out of his lodgings by an alien landlord to make room for alien tenants, and forced to live at a distance from his work; dwellings turned into workshops and factories where "sweating" is securely practised; the terrible overcrowding, the incredible wages. In Stepney alone, within the last six years, more than one hundred streets have passed entirely into alien occupation. In one of the public schools of that district, there were in 1895 two hundred and six English pupils and seventy-three foreigners; to-day, there are nearly three hundred alien pupils and less than twenty English. Over fifty thousand English have left or been turned out of Stepney in the past decade and their places have been taken by aliens; the old parish church stands in the midst of a foreign population; and off the main thoroughfares it is the exception to hear the English language spoken. The revelations of the Royal Commission of 1902-03 disclosed such abominations as aliens

working fifteen hours a day on trouser-pressing for a wage of $1 50 a week; tailors "finishing" 300 pairs of trousers at three cents a pair; shoemakers working sixteen and seventeen hours a day, in underground cellars, for $3 a week; men engaged to soften inferior skins for furriers by treading them out, barefooted, in vats, at from 75 cents to $2 a week, working from twelve to sixteen hours a day and taking their meals standing in the vats; twenty-one women sewing in a kitchen sixteen feet by twelve feet, and seven feet high, for sixteen and eighteen cents a week—all aliens and all Jews.

Many influences have restrained England from dealing with the Alien problem by legislation. For one thing, the English people have in the past enormously benefited by welcoming and assimilating immigrants and refugees from all countries. But for the Huguenots, the Revocation of the Edict of Nantes, and the religious persecutions that lasted on the Continent till the middle of the eighteenth century, English industry would not now be what it is. What one may call the Huguenot tradition, the tradition that England shall always be the asylum of the oppressed of other nations, still survives and is proudly cherished. Moreover, the Alien question, whatever it may become in the far future, is at present not a national but a local question. Besides, the influence of the Jewish community in England has always and naturally set itself athwart any and every proposal for restricting or controlling Alien Immigration; and, though the number of Jews in England is small—probably under 150,000,—their political, journalistic, and especially their financial, influence is immense. Consequently, immigration into England is absolutely unrestricted and unchallenged. Such unfettered entry is, I believe, absolutely unique; and it is worth noting that it goes far beyond the example set by the Jews themselves. In Baron Hirsch's Jewish colony in Argentina, as well as in similar establishments elsewhere, Jewish immigrants are carefully inspected, and such as are mentally physically or morally unfit, are unhesitatingly rejected. England alone receives all who come to her—the pauper, the criminal, the vicious and the inefficient, as well as the industrious, the clean-living and the capable.

That this is carrying generosity too far is, I think, admitted by all moderate Englishmen; but no attempt to say where the line is to be drawn has yet succeeded. Success, indeed, seems farther

off to-day than ever. The question of Alien Immigration has been linked with the Fiscal Question, and the last hope of considering it impartially and on its merits is gone. The Protectionists, of course, are rigid exclusionists; and the Free-Traders, while prepared to keep out or expel the diseased, the criminal, the pauper and other alien undesirables, are not prepared to forbid the landing of those who cause the real trouble—the poor, sharp-witted, thrifty immigrants who do not intend to remain poor. What the East End cares about is not the percentage of criminals or paupers among aliens, but the percentage of hard-working and industrious competitors; and to keep them out is to keep all aliens out. No Government has ever ventured or ever will venture to suggest anything so drastic as this. Even the Royal Commission, that sat on the subject two years ago, did not go beyond advising that aliens should be barred from certain prohibited areas which officialdom might find to be "overcrowded," and that undesirables should either be prevented from landing or expelled the country. These suggestions were embodied in a Bill which was introduced by the Government in March of last year, but so little earnestness was shown in pushing it through, that the Liberals had no difficulty in throttling it in Committee. Next session, it is probable that a similar Bill will be brought forward and passed; but its effects will hardly meet one of the East-Enders' real objections to the alien. Those objections could only be permanently satisfied by excluding all aliens, or, at any rate all alien Jews, from England; and such a measure would hurt the East End, and indeed all England, far more than it would hurt the Jews.

The strangest England that any Englishman could imagine would be an England satisfied with its Army. The attitude of the public mind of this country towards the War Office, the almost yearly Army Schemes, and the deluge of Reports on all military affairs, is, so far as I can gauge it, one of bewilderment, disgust and despair. Nor can one wonder at this. Among the hundred and one lessons bitten in by the Boer war, none was more self-evident than the need of complete artillery rearmament. Except for eighteen batteries hurriedly purchased in Germany at the last moment, the British had not a gun in the field that was not surpassed by the Boer equipment in range, in accuracy, in power and in rapidity of fire. Nor was the Boer artillery by any means the best that was to be had. Had Great Britain been engaged with a

Continental Power, it is not too much to say that her defective artillery alone would have made defeat inevitable. It is three years since the Boer war ended; it is five since the shortcomings of the artillery were first fully revealed. The matter was thoroughly gone into by a Committee soon after Lord Roberts's return home in 1901. It took the Committee two and a half years to decide upon a new type of weapon—a period which, considering all the intricacies of the subject, was neither excessively long nor excessively short. But after the Committee had reached its decision there was a delay, a criminal delay, of nearly a year, during which the Committee's findings were reviewed by the new Army Council, the new Council of Defence, tossed backwards and forwards, and practically repudiated by the Treasury, which refused to find the money. It may have been a mere coincidence, but I believe it was not, that, shortly after the crisis of the North Sea outrage, all objections disappeared and the orders for the new guns — 107 batteries costing about $12,500,000 — were actually placed. At the present moment, admittedly, the finest gun in the world is the French. Whether the new British gun will prove better than or slightly inferior to this king of weapons is a point on which the experts who have seen both speak with oracular hesitation. But there can be no doubt that the new 18½-pounder for the Field-artillery, and the new 12-pounder for the Horse-artillery, firing twenty rounds to the minute and with an effective range of 7000 yards, belong to the very first class of guns, and may easily turn out to be the top of that class. The only trouble with them is that they cannot be delivered for another two years.

Consider what this means. A war is raging in which Great Britain, under certain eventualities, is bound to spring to the assistance of one of the combatants. The Power, or one of the Powers, she would have to face would be Russia, and Russia is the only Power England is ever likely to meet on the battle-field that has a frontier practically coterminous with her own. A war with Russia would be preeminently a land war, a war for the possession of India, a war in which artillery would play a decisive, if not the deciding, part. It is at such a juncture that the British War Office nonchalantly announces that in two years' time it hopes to be ready to fight, that its present artillery is "the worst in the world," but that it confidently expects that twenty-four months from now the new equipment will be complete. For two years to

come this nation has almost automatically bound itself to peace; and, it is worth noting, in two years to come the Anglo-Japanese Alliance will have reached the end of its original term. There is something in this plain statement of facts that suggests nothing less than treason to British interests, to Japan, to everything that concerns the two Powers. In 1907, eight years after the inefficiency of her guns was made palpable on the battle-field, six years after Lord Roberts's return from South Africa, and five years after the conclusion of the Boer war, Great Britain will actually be rearmed and fit, if necessary, to take the field. And that is by no means a record achievement on the part of the War Office; it is simply a fair sample of ordinary British military administration. All that England can do is to swear savagely at some one unknown, and pray that she may be dragged into no war for another two years at least. Her prayers may be, probably will be, answered. But there are a great many possibilities and a great many rumors that point in another direction. It is whispered, for instance, that, situated as Russia and Japan are, there can be no half-way house between open enmity and open friendship; that they must either be at war or in alliance; and that, having learned to know and respect one another, and realizing the impossibility of final victory on either side, they will prefer to be allies rather than foes. This means that, instead of the renewal of the Anglo-Japanese Alliance, a Russo-Japanese Alliance will be formed. Stranger things have happened. Again, one hears in London the most sinister rumors of Russian "aggression" on the Indian frontier; of a peace in the Far East that will leave her free to confront her real antagonist, Great Britain, with all her power; of how the best Russian troops are not with Kuropatkin, but are being slowly massed on the Afghan frontier; of how all is in readiness to spring the mine. Rumors such as these are the natural fruit of war-time; but it must, I imagine, have gravely disturbed Lord Kitchener to observe the admirable working of the Trans-Siberian Railway, to reflect that Russia has not merely a single badly laid line connecting her with Central Asia, but two solid and carefully planned tracks, and to know that he has neither the men nor the guns to meet one-half the force that is now fighting on the Shaho. It is, however, one of the historical privileges of Englishmen always to be face to face with such dilemmas, and always to escape from them somehow.

ST. PETERSBURG, *January, 1905.*

DREARILY the new year has opened for Russia: her "invincible" armies are held in check by the Japanese; her best ships are sunk or disabled; Port Arthur has fallen; her people are virtually in revolution; the fate of her autocracy is trembling in the balance. The change which has come over the Tsardom is as thorough, if not quite as sudden, as any transformation ever wrought by Circe's wine-cup. A little over a twelvemonth ago, the Tsar's will, even when capricious and aggressive, had the force of law among the nations, who, appreciating the blessings of peace, were willing to purchase them by considerable forbearance. At home, too, his subjects believed in his power, and trembled as they saw it applied to destroy what was best in the Finnish, German, Polish, Armenian, Jewish and Russian elements of the nation. International, as well as Russian, law was thus suspended or abolished by a decree of the Great Autocrat, who was probably the most powerful potentate the world had ever seen. Since then, his will has been crossed—abroad, by the race whom his Russians despised too heartily to hate; and at home, by a mere band of malcontents, who, unlike Pompey of old, have had but to stamp with their feet in order to bring legions to their ranks.

Unquestionably, revolution in Russia will prove to be a very different process from what it was in France or elsewhere. For one thing, it will be immeasurably slower; and, for another, it may at certain stages be marked by a degree of ferocity which the peoples of the United States and Western Europe can hardly realize. The situation at present is characterized by a condition of things which a year ago was inconceivable. The little band of "rioters," as they were generally called, has become commensurate with the whole articulate nation, which, having grown conscious of the strength born of combination, has united in a strenuous effort to pull down the citadel of autocracy. Students and working-men, who in Russia are generally the revolutionary "food for cannon," were the first to rush forward as the pioneers of the movement, seeking to put an end to despotic rule; journalists, novelists, professors, followed suit; landed proprietors, noblemen, merchants, cautiously upheld the modest claims of the writing fraternity; and, finally, the Zemsky Congress managed to get their demands brought to the personal cognizance of the Emperor himself.

But to those symptoms the Government paid little attention. The war, Grand-Duke Vladimir is said to have remarked, had rendered the people nervous, and it would be a mistake to make too much ado about silly outbursts of temper, which were devoid of real significance. In vain did remote Zemstvos, Siberian town councils, "converted" boards of noblemen, members of the provincial bar, university faculties, and councils of the High Schools send in by post, or telegraph, their hearty adhesion to the programme of the Zemstvo Presidents. The Government continued to make light of the whole movement, which would subside, said Grand-Duke Sergius, the moment fortune favored Russian arms in the Far East.

But the symptoms of the coming change were multiplied and, at the same time, their gravity increased. Timid men grew courageous and made public profession of their faith, regardless of consequences to themselves; princes stepped forward as champions of the peasants; officials who had theretofore stood by the Government announced that, come what might, they would throw in their lot with the people. For instance, an official who was sure to be a Governor of a certain province signed a petition for a legislative assembly, thus ruining his career. The unanimous council of the St. Petersburg Polytechnical Institute forwarded a memorial to the Minister of Finances, recording their firm conviction that technical education is impossible so long as the political and social conditions inseparable from autocracy have not been changed. The Municipality of Yalta resolved to telegraph to Prince Mirsky its certitude that the high bill of mortality in the towns and cities of Russia was one of the direct effects of autocracy, and could not be bettered until the cause was removed. The legal bar of St. Petersburg and Moscow sent a deputation to Mirsky to petition for representative government.

On December 12th, the provincial Zemsky Congress of Kaluga forwarded an address to the Emperor, which created a sensation throughout the length and breadth of Russia. The members actually volunteered to rally round His Majesty and support him "against the enemies of law and order," *i. e.*, the *bureaucracy*, and they added:

"Believe us, Sire, when we assure you that speech, to be sincere, must be free; that joint work, to be productive, must be performed by citizens who possess equal rights and whose personality is inviolable; that

no conscience is pure but that which is not enthralled, and that no prayer is fervent excepting that which is offered up in the public temple of all denominations."

They end their address with a hope that the Tsar will summon elected representatives of the land to contribute to its peaceful development and prosperity.

The Moscow Town Council unanimously adopted a resolution declaring the absolute necessity of the following reforms: legal protection of the individual against the arbitrary measures of officialdom; the repeal of those exceptional regulations which give the local authorities power to imprison or banish anybody without assigning a reason; freedom of creed, of the press, of meeting and of association; a popular chamber to watch over these popular rights and to control the Government. The St. Petersburg Municipality adopted a similar resolution. Banquets were organized at which fiery speeches were delivered, like those we read of in Paris on the eve of the great Revolution. At one of these festive gatherings in a public hall, the guests numbering several thousand covered the portrait of the Tsar with a red flag, on which the inscription was painfully visible in white letters: "Down with the Autocracy!" At many others, the two men who killed Plehve were unanimously honored. The counsel for one of them—Sozonoff—said in his speech for the defence: "The bomb which blew M. Plehve to pieces was filled, not with dynamite, but with the tears of the widows and orphans of those whom he had sent to the scaffold, to dreary dungeons and to Siberia."

The imperial family, in the person of one of the Empresses, had been warned by royalties abroad that it would be greatly to the advantage of the Autocrat, as well as the autocracy, if a sop were thrown to the popular Cerberus. Good grounds, it is said, were alleged for this opinion, and His Majesty was accordingly attuned to a conciliatory mood. He became willing to make concessions, and to promise reforms; but he would not, of course, put sharp weapons into the hands of "his children," and still less would he lay down the powers with which God Himself had invested him. That was the Tsar's attitude—unforeseen by the Liberals who had looked forward either to frank opposition or graceful consent. And his acts were in harmony with it. He warmly supported Prince Mirsky, against whom an intrigue was coarsely spun by a number of courtiers and the indispensable

Grand-Dukes. He allowed the press to have its fling and the Zemstvo representatives to speak their minds; but there he drew the line. There must be no tampering with the rights and prerogatives of the autocracy. They at any rate should remain inviolable. Neither must the war be condemned nor peace with the Japanese advocated. Russia, and more especially the reigning dynasty, has need of a decisive victory over the yellow-skins. The newspapers were accordingly prohibited from publishing any of the cries for peace which were heard all over the country.

A very queer mixture of liberty and restriction resulted which puzzled everybody. But, from time to time, tokens of the Emperor's view on the main point were noticed, the significance of which could not well be mistaken. For example, the President of the Chernigoff Provincial Zemstvo had telegraphed to the Tsar, in the name of his colleagues, a petition for "the rights of the Russian people," including Constitutional Government. That act was unquestionably incorrect, because in ordinary times all such requests must be sent to the Governor, who may or may not forward them to the monarch. In the second place, no subject has the right to telegraph direct to the Tsar; and, thirdly, neither the Zemstvo nor its President is authorized to discuss or meddle with questions of international politics. Mukhanoff, the President of the Chernigoff Zemstvo, had therefore exceeded his rights in the spirit as well as the letter. Still, the present moment is exceptional; and it was hoped that the Tsar would shut his eyes to the misdemeanor. But Nicholas II availed himself of the opportunity to teach the Liberals manners, and at the same time to prepare them for what was coming. On the margin of the telegram he penned the following words: "I consider the act of the President of the Chernigoff Provincial Zemsky Assembly impudent and tactless. To discuss questions of State Government is not the business of Zemsky Assemblies, whose sphere of action and rights are clearly outlined by the laws." That censure was immediately published throughout the Empire, as a symptom and a deterrent. As a deterrent, it had no effect whatever on the thousands who felt disposed to imitate the Assembly of Chernigoff; but, as an index of the answer which was being prepared to the demands of the Zemsky Congress, it fulfilled its purpose.

That answer came at last. It was to have been promulgated on the Tsar's name-day, December 19th; but, owing to changes made

at the last minute, publication was delayed until the date coincided with the anniversary of the historic rising of the "December men" against Nicholas I in 1825. And then it came, not as the overture to a new era, but as the epilogue to the old one. It deals only with morbid symptoms, leaving the roots of the evils untouched. It offers very little in the way of concessions, and even that little may at any moment be withdrawn. For those and other reasons, the ukase disappointed every one. The quintessence of the demands made by the Zemsky Congress was a legislative body, which should be at once the source of law and the guardian of legality. The seventy-one* members who were in favor of the new creation argued that no imperial grant is sufficient or final because so long as the Emperor's will is supreme, he may always resume possession of the rights which he abandons, as, indeed, Nicholas II did in his dealings with the Finnish people. Hence, law ought to be something independent of his will. But the idea of parliamentary government was scouted by the Tsar's advisers, not excluding M. Witte.

For the "Russian Bismarck" was the master-spirit who prompted the reforms and even worded the imperial ukase. The present political crisis, say his enemies, was the stepping-stone from which he vaulted into power a second time. As Finance Minister, he had had a voice in almost every public question that cropped up, no matter how little it had to do with finance. In this way, he had wielded such vast power that he was regarded as the uncrowned Tsar of all the Russias. Naturally, time has been hanging heavily on his hands ever since his forced retirement. For, as President of the Committee of Ministers—the post to which he was relegated at the time of his dismissal some eighteen months ago—he has been like a Scandinavian warrior fighting shadows in the fields of Valhalla. He had lost the favor of the Tsar, and with it the secret of turning words into deeds. Therefore, he was ignored by the bureaucracy, and worshipped by the nation's friends, as a sort of Russian Necker, with a pacific revolution in his head.

But now M. Witte has suddenly returned to power, not, like Necker, joyously acclaimed by a confiding nation, but to the accompaniment of strictures and hisses. He has come, people complain, as the advocate of half-measures, lest he should be left in the

* Out of ninety-eight.

lurch while waiting for whole ones. With the help of a University professor, he drew up a plan of agrarian reform which is excellent so far as it goes. It proposes to make the masses equal to the classes before the law; and it allows the tillers of the soil to move from place to place, in lieu of tying them to the glebe, as Plehve was doing. It is a really helpful scheme; and Prince Mirsky, recognizing its merits, gladly unfolded it to the Tsar, who ordered a bill to be prepared on that basis. That was the first stage in the great statesman's second ascent. The next soon followed. In such cases, it is only the first step that is difficult; the others are taken almost mechanically. Witte, being again consulted by Mirsky—this time on the general answer which the Tsar should give the Zemstvos—was here, too, prepared with a rounded scheme. It covered the political as well as the agrarian field, dealing with the regulations for the press, the rights of religious non-conformists, the introduction of State insurance for working-men, the substitution of law for administrative caprice, and the creation of an assembly with a consultative voice in legislation. Nine points in all. And the ninth was held to be the number which gave value to eight ciphers. And yet it was a very small number. For what M. Witte and Prince Mirsky advocated was not a legislative assembly, such as we find in all civilized States of to-day, but only a very pale reflection; a consultative body elected, not directly by the people, but by the Zemstvos for the rural population, and by the municipal councils for the cities and towns. This assembly, which would probably have been termed a *duma,* would be devoid of all initiative and exercise no control whatever over the public purse. It would merely give its opinion upon bills which had already passed the Council of the Empire but had not yet received the Imperial sanction. As the Council of the Empire itself is but an ornamental institution—because, whatever view it may adopt, the Tsar's will becomes law all the same—it is clear that the projected *duma* would have become the fifth wheel in the State chariot. Still, even a shadow of a legislative body would have been welcomed by the people as a visible pledge of something more substantial to come. Possibly for that reason, it was advocated by Prince Mirsky, by M. Witte, and by three other responsible officials.

However that may be, the Emperor glanced through the document and, on coming to the ninth clause, struck it out angrily.

"It is lost time," he said, "to ask me to tamper with the powers invested in the Autocracy." The Prince assured him that the projected *duma* was more harmless than the Council of the Empire or the Committee of Ministers, neither of which had done anybody harm or good. But the Tsar, who had meanwhile consulted the Grand-Duke Sergius, was not to be moved. The Moscow organ of the Grand-Duke Sergius, who is more autocratic than the Autocrat himself, uttered the following veiled threat against the Tsar should he surrender any of his rights:

"Attempts to introduce into Russia political self-government have been more than once renewed during past centuries. But to not one of them was God's blessing vouchsafed. The most instructive and cruel blow to any of those essays was dealt by divine Providence a quarter of a century ago, when our liberty-loving Tsar Alexander II perished at the hands of assassins *at the very moment** when he had laid the first stone of the rickety edifice of political self-government, which, happily for Russia, was left unfinished after his decease."

Naturally the ninth paragraph was struck out.

Now Witte was responsible for the plan which included the ninth paragraph, and that is greatly to his credit. But he has also undertaken to realize the modified project, with the ninth clause struck out, and that is a weakness which will not soon be forgiven by the leaders of the parliamentary movement. They bitterly accuse him of sacrificing to inordinate ambition interests of the Russian people which he knows to be vital. His Liberal friends hoped and believed that he would wait in patience until he could be raised to power on the crest of a vast wave of popular feeling. But the sceptical statesman, feeling that he might wait in vain for the spring-tide of political agitation, took the neap tide at the flood. And that is the head and front of his offending. That is why they now refuse to help him.

But the leading spirits of the Liberal party are as dissatisfied with the reforms outlined in the ukase as with their framer, M. Witte. They complain that the Tsar is selling dearly and in detail what they petitioned him to bestow upon them gratis and wholesale, and, worse than that, he does not intend to deliver what he has sold. They had asked for the abolition of classes and class privileges, and he promises the disappearance of certain legal disabilities which weighed upon the peasants. They had

* The italics are in the original.

agitated in favor of liberty of conscience, and he dangles before them the revision of the legislation restricting the rights of certain non-conformist sects, and the removal of disabilities which do not derive from statute law. They had prayed for the repeal of the coercion ukase, known by the name of Protective Regulations which place the liberty and life of all Russians at the mercy of the local jacks-in-office, and he merely gives instructions to lessen the number of the districts thus trodden underfoot. They besought him to grant liberty of the press, but all that he has undertaken is to remove "the superfluous" restrictions placed upon it, and meanwhile newspapers are being suspended or suppressed. They claimed the right of public meeting and of association, but these claims he wholly ignores. They had begged that Finns, Poles, Jews, Armenians—all the great non-Russian elements, in a word—might be delivered from the persecution from which they are now suffering, but the ukase engages only to strike off those legal fetters which are not required "by the vital interests of the State and the manifest advantage of the Russian people." Who will define these? The bureaucracy. And, above all else, the representative assembly, which was to have been, so to say, the corner-stone of regenerated Russia, has been relegated to the limbo of things that might have been.

What critics complain of, then, is, in the first place, that the measures announced in the manifesto would be absurdly inadequate, even if they were real. But they can never take root, because they are always liable to be withdrawn. That is the end of all reforms in Russia. Heretofore, every concession made, from the days of Nicholas I, has been either formally repealed or else cunningly counteracted by the Ministers of Alexander III or of Nicholas II. The very ukase to which the wretched serfs owed their emancipation had been evaded, and the peasantry were being tied to the soil anew by M. Plehve, when his life was suddenly snuffed out. And all those concessions had been not merely promised, but actually realized; they formed part of the law of the Empire. Yet that did not save them from abolition. And the ukase of last Christmas day realizes nothing. It merely sketches future changes for the better. But are the reforms thus promised likely to be durable, if those which were actually embodied in legislation were so successfully undermined? Russia answers: "No."

The very first clause affords an interesting example. The Emperor, we there read, deems it urgent to insure the victory of law over caprice. To this end, all authorities, all State departments, are to esteem it their sacred duty to observe the law, and thereby to help engraft upon the people that sense of legality which they now lack. Speaking frankly, that measure, if carried out, would civilize and transfigure Russia. But the people possess no faith in their ruler's intentions. They know that that clause is identical with the 47th paragraph of the fundamental laws of the Empire, which has been a dead letter for generations, owing to the greed of power displayed by the bureaucracy. And they feel sure that as it has been in the past so it will be in the future, because it is that same bureaucracy which is charged with the execution of the present ukase. Would the Emperor choose incurable drunkards as apostles of sobriety?

If the Tsar seriously desired to root out administrative caprice and establish legality, why did he not forbid the punishment of any of his subjects otherwise than by sentence of the law courts? That would have been at once easy and just. That he did not do it, is proof that his intention is conditional. Again, when Nicholas II writes of allowing the Zemstvos a fair share in local administration, he is but throwing dust in our eyes, complain the men of the reform movement. Otherwise, they add, all he had to do was to give back to the Zemstvos the rights which his grandfather bestowed on them in 1864. Again, if he wanted to tranquillize his people and lean upon law as a pillar of autocracy, why did he not repeal the monstrous ukase known as the Protective Regulations? They are not to be repealed, and nobody can tell how far they will be softened down or circumscribed. Why? Because the Tsar's scheme is to be like those of his predecessors, provisional, contingent. It differs nowise in spirit and very little in words from the manifesto issued early in 1903. Yet the reforms outlined then were construed by the all-powerful Minister, Plehve, as instructions for the forging of new chains!

Curiously enough, a Government *communiqué* was published a few hours after the ukase, which, to use a Russian simile, puts a spoonful of tar into the very small quantity of honey which the ukase contained. It forbids, under pains and penalties, all meetings, banquets, processions, newspaper articles in favor of a legislative chamber, and it also flatly denies that there is any general

demand for such a body in the country. The Zemstvos, too, are sharply told to keep within bounds, and are severely blamed for stirring up the people; while patriots, like General Kuzmin-Karavayeff, are accused, without being expressly named, of being the allies of the Japanese! Bitterness, not loyalty, is the inevitable result of these foolish accusations, which confirm the belief that the so-called reforms are conditional and temporary.

And the condition is, say the Liberals, that the Japanese hold their own against Kuropatkin. Once let the fortune of war smile upon Russia, and the reaction will make another clean sweep of all present "reforms." Hence the extraordinary endeavors which the Government is now making to crush the enemy by an overwhelming superiority in numbers as soon as the warm weather sets in. To this purpose, every nerve is strained; every source of strength is being tapped; reinforcements are being sent by land and sea, and even all the monasteries are being compelled to tax themselves "voluntarily." If Kuropatkin were to defeat the Japanese, he would also worst the Russian Liberals. But even then it is practically certain that autocracy would not win the day. For the war is virtually an examination which absolutism has to pass successfully or disappear. The two subjects are military skill and economic soundness. And in one of these, if not in both, autocracy is certain to fail. People feel this instinctively rather than know it, and are therefore resolved to continue their agitation. At a subscription banquet here on December 24th, 780 representatives of all classes of the population loudly applauded Professor Lootooghin when he said: "Let us follow the advice of St. Augustine, who writes: 'If to speak the truth be to foment disorder, then let us rise up, brothers, and foment disorder with all our might!'"

A banquet which was to be held in Moscow on the same night, and for a similar purpose, was hindered by the Grand-Duke Sergius. A political supper organized in the city of Kursk was prevented in like manner. Universities and high schools have been closed by order of the authorities, who consider the conduct of the students treasonable. The Council of the Moscow University, on the contrary, declares that the violent measures adopted by the authorities against the students have aroused such bitterness that lectures will have to be suspended until next Autumn. Henceforth, more than five visitors are not admitted to any

students' rooms, in any part of the Empire, for any purpose whatever, lest they should conspire. Thus the Government indulges in arbitrary rule and lawless violence, while the people seem ready to transgress laws more sacred than those of the autocracy in their eagerness to root out administrative caprice. In a word, Russia has entered upon the first stage of revolution.

PARIS, *January, 1905.*

IN endeavoring to comprehend the real situation in which M. Combes, the Prime Minister, finds himself, it is essential to remember that his enemies have long ceased to be only on that side of Parliament where he sees his political opponents. Many a man who supports him in every ballot thinks in his heart that he could do the anticlerical business better than the Premier; and he should not forget that the Socialists, without whom he cannot govern, are too strong men to be capable of gratitude, and may some day mete out to him the same justice that he has meted out to M. André. Even in the party to which he himself belonged when he succeeded M. Waldeck-Rousseau, he has bitter enemies. M. Leygues, M. Caillaux, above all, M. Lockroy, all three members of the preceding cabinet, cannot be said to be in the Opposition, yet they take advantage of every opportunity to criticise his methods. M. Lockroy, more especially, does not let a week pass without attacking his successor, M. Pelletan, in the Chamber or in the press. But these three men are lambs in comparison with M. Doumer and M. Millerand, both of them men of exceptional powers and capable of the terrible political hatred which is worse than the worst grudges.

M. Millerand's ill-will against the Prime Minister does not arise merely from his having belonged to M. Waldeck-Rousseau's cabinet: his grievance is of a personal character. When M. Combes was accused of having been privy to his son's alleged attempt to appropriate the "Carthusians' million," instead of being content with clearing himself, as he did without difficulty, he hinted that the man who had been silent when he should have spoken was the ex-Minister of Commerce. The pale-lipped eloquence of M. Millerand's reply will never be forgotten by any of those who were at the Chamber that day. M. Millerand is a barrister, but he never indulged in the long-winded periods one

hears at the Palais. Were it not for a tendency to subtilty, a habit of noticing details, minute particulars of procedure, etc., his plain, direct, impassioned speech would never remind one of the bar. The man is independence itself. A Freemason and staunch anticlerical, he has lately been excommunicated by the Lodges. A Socialist—the politician who succeeded in passing the only acts so far practically favorable to Labor—he also was ejected by the Socialists. He never goes a step farther than where his opinion leads him, and he cares not for consequences. When M. Ribot ascends the tribune, his soberly ornate speech and quickness of apprehension, together with his knowledge of financial and home politics, always secure him a respectful hearing, but he has now dropped into a party whose speeches are only talk. Everybody feels, on the contrary, that M. Millerand's addresses are as near acts as he can make them, and that every time he attacks the cabinet, it is with an idea that its ruin may ensue.

M. Doumer would be a hardly less formidable foe, if he had not been known to be one a little too long. Intellectually, he is not on a level with M. Millerand. He is partly a self-taught man, and never gives the impression that he could be capable of a wide political outlook; but he has friends, an admirable understanding of financial questions, and his mind is even more made up against M. Combes than M. Millerand's. Is it ambition or a less selfish motive? Perhaps both. M. Doumer, for several years, was governor of Indo-China; and I do not think that one single instance could be adduced of a man—diplomat, soldier or other—living abroad or in the colonies for any length of time, with enough power to make him conscious of his responsibility, and coming home as ready as he was to be plunged into the political whirlpool. A governor of Indo-China or Algeria certainly enjoys more independence and stands a better chance of attaining to statesmanship than a Prime Minister who accepts, as does M. Combes, constant reference to his majority. Coming home again, his first impression is that the head of the central power, with whom he has been more than once in conflict, is little better than a man of straw. In fact, M. Doumer used some such contemptuous expression soon after his return from Indo-China, and M. Combes had to give a great banquet at Laon, M. Doumer's own constituency, to afford him an occasion for replying to an address of the latter which had been nothing short of a declaration of war. Contrary

to his expectations, M. Doumer has not overthrown the government yet, and he is still president of the Budget Committee; but this position gives him a daily opportunity of authoritatively interfering in almost every debate, and he seldom deprives himself of the pleasure of doing so with totally unveiled hostility to the Premier. If it is remembered that men like M. Gerville-Réache, Vice-President of the Chamber, and M. Etienne, president of the group of Democratic Union, without which the majority would not hang together, are or have been interested, like M. Doumer, in the colonies, side with him on most questions, and suffer M. Combes instead of liking him, it will be realized that a majority with such a man *in* it—for his political creed places him in the Extreme Left—may turn out at any moment to be a mere fiction. In fact, even supposing the "groups" to remain what they are, the "*Temps*" has just pointed out that a cabinet a shade more moderate than the present could do without the assistance of the Socialists, and be sure of the twelve or thirteen votes that make up the present majority. But the groups may not be much longer what they have been for years. The great and almost inexplicable homogeneousness of the majority in the last two Parliaments was the effect mostly of the Dreyfus Affair, which let anticlericalism loose and gave unexpected influence to the Socialists. Most of the bills introduced were anti-Catholic in tendency and, consequently, agreeable to all but the Right and the Centre—that is to say, to what M. Clémenceau was the first to call the "*Bloc*." The *Bloc* consists of four sections or groups, each with a complete organization—a president, secretary, regular meetings, etc.—the more influential members of which not only discuss the course to be followed in every important affair, but by the tacit understanding of their friends are the Ministers of the morrow. M. Combes had made a practice of asking the advice of the four presidents of the groups before proposing any serious measure, and, if it took from his independence, this practice added much to the stability of his cabinet. As long as he had only antireligious schemes to suggest, even M. Etienne's group—the most moderate of the four—ratified them as implicitly as M. Jaurès and his Socialist followers. But anticlericalism is not inexhaustible, and other questions now crop up which set the most listless deputy thinking. There are at present two under discussion: one, Disestablishment, still in committee; the

other, the Income Tax, in the first stage of parliamentary procedure. Both are full of hidden snares, into which M. Doumer, prepared with statistics and figures, is longing to decoy his enemy.

Disestablishment had long been thought an impossibility. The Radicals—above all, M. Clémenceau, who used to deliver a yearly speech on the subject—insisted so much that it was a necessity that people grew accustomed to the notion; and, when the Papal Nuncio was recalled in July of last year, it was spoken of as a matter of course. A remarkably industrious and ingenious Socialist, M. Briand, had prepared a bill which was said to be immediately workable, and it was rumored that it would be enacted into law offhand, and enforced by the end of 1905. Yet the first weeks of the session elapsed without a word from the Premier to bring the bill under discussion, and it began to look as if he was afraid of approaching the subject, when, one fine evening, at the end of an indifferent sitting, he suddenly laid the *projet* on the President's table. The astonishment which this rapidity of impulse created was not lessened when it was found that the Premier's bill differed in some important particulars from that of M. Briand, and consequently had to be submitted to the committee as if nothing had as yet been done.

A detailed examination of the ins and outs of the question of Disestablishment would be long and tedious. The ownership of the churches is the most important part of it, and I will content myself with a brief *exposé* of that. The Reign of Terror deprived the clergy of all they possessed, churches as well as lands, which were generally bought back from the government by private individuals. The Concordat of 1802 returned the religious buildings to their original owners, but the clergy agreed, for the sake of peace, not to dispute the validity of the sale of their property during the Revolution, provided a stipend of 900 to 1200 francs (180 to 240 dollars) were paid yearly to parish priests Now, in the event of Disestablishment, M. Combes's bill provides that a pension equivalent to about half their present stipend shall be paid to clergy over forty years of age; but that henceforward no stipend is to be allotted to the clergy, and, what is worse, that the churches and houses of the beneficed clergy are to be taken back from them and only used upon payment of a fixed rent. The consequence is clear. Not only the priests, but their congregations, *i. e.*, a certain number of voters, are sure to grumble against

treatment which compels them to pay for what they look upon as their own. Every deputy knows that, if his constituents must have reason to complain of him, it should never be about additional expense for which he might be held responsible. Hence the likelihood that M. Combes may not be followed by his usual majority, or that he will endeavor indefinitely to defer a general discussion, in which case the Socialists will say that he is no better than M. Ribot, and a split in the *Bloc* will ensue.

Many deputies who generally support the government seem to be just as shy of the proposed law on the Income Tax. It is very true that our present financial system weighs more heavily on the humble than on the wealthy, as it is based chiefly on the amount of house rent, which is by no means proportioned to the real means of the taxpayer,—in fact, is a totally misleading sign. It is very true also that M. Rouvier, like most of his predecessors, unites the desire of being fair to that of securing an ample exchequer, and wants to get more money from those who have the most. But, making allowance for the perfect purity of his intentions, and for the difficulties inherent in every possible method of extracting money, it is certain that the reform he proposes causes no slight alarm to the taxpayers as well as to their representatives. Taxation of income based on the total wealth of the individual involves a valuation of his property, which, if disputed, entails investigation, and that means odium. This is not all. It seems an ominous sign that the Socialists, who theoretically will have nothing short of *progressive* taxation, appear quite content with the Minister's bill. Not only their political adversaries, but their friends in the *Bloc,* scent some deeply-laid scheme under this quiet demeanor, and the conclusion of M. Rouvier's speech in the general debate has somewhat justified these misgivings. In the first and by far the longest part of this address, the Minister was anxious to show that his bill was merely intended, as he said, to shift the burden from the right shoulder to the left. But, just at the end, he let his hearers catch a glimpse of the terrific productiveness of the future tax, when the old-age pension fund and the nationalization of railways became an urgent necessity. The next morning, an eminent financier, M. Jules Roche, translated these words into figures in the "*Figaro,*" and the sight of this "little bill" is likely to scare away every one in the Radical party who is still at heart a *bourgeois,* that is to say, nine out of ten.

To sum up, anticlericalism is the order of the day, and a perpetual triumph for the Ministers when it seems to mean clerical money appropriated by the State. The same can be said of Socialism, when the word is limited to its purely political significance. The moment the progress of both doctrines places the deputy and his constituents face to face with contingencies involving expenditure, an uncertainty prevails which is soon followed by distrust and by a fall in the parliamentary barometer such as we have lately seen. The palmy days of anticlericalism are nearly gone, seeing that clericalism is little more than a phantom or a ghost, and the cabinets of long duration which we have admired in the last seven years are going with them. The reader ought not to forget that the average duration of republican governments between 1871 and 1897 was slightly under ten months, but he should remember also that in our system a change of government does not amount, as in England, to a change of policy. The fall of M. Combes and the advent of M. Doumer will not much alter the course of events which we have been able to follow from the days of Gambetta. Those who fear a reaction, as the result of those events, do not read history better than those who long for it

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WASHINGTON, *January, 1905.*

IT is plain enough that, if either of the parties to the present conflict in the Far East were at liberty to proclaim itself accuser, judge, jury and executioner with reference to any controvertible question, the agreement which, at the suggestion of our State Department, was entered into by the belligerent and neutral Powers to respect China's neutrality, would not be worth the paper on which it was originally formulated. Nevertheless, in the note presented to Secretary Hay, Russia practically arrogates the right to decide for herself whether China has or has not committed a breach of neutrality, and, if her *ex parte* decision should be in the affirmative, to take such retaliatory action as to her may seem expedient. It should be patent to every student of international law that, as a matter of principle, Russia's position cannot be for a moment tolerated, though whether repudiation of it should be carried further than indignant protest, and take the form of forcible interposition, is, of course, a question of international policy. A world-involving war must be averted at all hazards:

to circumscribe the conflict in the Far East to a duel between the original combatants was, of course, the aim of the negotiations by which in February, 1904, Secretary Hay obtained from all the Powers concerned, whether belligerent or neutral, assurances that to the utmost of their respective abilities the neutrality of China should be respected. To punish a flagrant breach of that agreement by a precipitate recourse to coercion, which almost certainly would bring about a general war, would be to lose sight of the primary object. We presume, therefore, that, for the present, at all events, the agency relied upon to convince Russia that she must not arbitrarily, on unproved allegations of her own, set aside an international compact, will be moral suasion. This is the inference to be drawn from Mr. Hay's reply to Russia's note, which reply, by the way, has been communicated to all of the neutral Powers. The latter are reminded of their promises to use their best endeavors to keep China from becoming involved in the war. Those promises, obviously, would not be kept, unless the Powers which made them should insist that a belligerent, instead of arrogantly assuming to decide for itself that China had committed a breach of faith, should submit the question to impartial arbitration. If Russia has any solid foundation for her charges that China has violated a neutral's duties, she should welcome arbitration: if she has none, she, naturally, will look askance on such a method of settling a dispute. A country, however, which, like Russia, in order to maintain her armies in the field, and to shield herself against internal revolution, is absolutely forced to borrow money abroad, cannot afford to resist the pressure of international opinion. When the St. Petersburg Government finds that Mr. Hay's temperate remonstrance against its high-handed attempt to accuse and penalize China in a breath meets with concurrence in Berlin, Vienna, Rome, and even Paris, as well as London, it is likely either to withdraw the imputations made against China's good faith, or submit them to the inspection of an unbiassed tribunal.

Now that President Roosevelt has announced a corollary to the Monroe Doctrine, to the effect that Latin-American republics will be left to their own devices so long as they refrain from outrages upon foreigners and pay their debts, but no longer, it is plainly only a question of a short time when we must either permit Venezuela to be disciplined by foreign creditor-Powers, or take upon

ourselves the disciplining process. Mr. Roosevelt has made it pretty evident that, whenever he is again confronted by such a dilemma, he will grasp the second horn. He will interpose as a receiver, and administer certain revenues of the delinquent debtor, for the benefit of creditors. Our Government is already doing that in the Dominican custom-house at La Plata, and it must presently take similar measures against Venezuela, or once more allow European creditor-Powers to apply force. For reasons best known to President Castro, the customs revenues of the ports of La Guayra and Puerto Cabello—about a third of which were set aside by treaty for the payment of foreign creditors—are falling very much short of the figures exhibited before the agreement was made. Meanwhile, far from appreciating the friendly position taken by our Government during the blockade of Venezuelan harbors by allied European Powers, President Castro has been showing himself more stiff-necked than ever in his attitude toward an American asphalt company and other American claimants of justice at the hands of Venezuela. It is an act of insolence and folly of which this South American adventurer is guilty. If he had common knowledge and common sense, he would foresee that, should we make up our minds to bring fellows of his kidney to book, they would find our little finger heavier than Europe's loins. There are not a few long-headed Americans who, in view of our national determination to construct and maintain an interoceanic waterway across the Isthmus of Panama, already assert that we cannot afford to tolerate the continuance of anarchy on the southern shore of the Caribbean, and that, in self-defence and in the interest of the civilized world, we may be driven to assume a protectorate over the riparian tract stretching from the Isthmus to the Orinoco.

Why are European manufacturers profoundly interested in the twin bills introduced the other day in the House of Representatives, and understood to embody the President's views, the bills providing that the Interstate Commerce Commission, when a given railway rate is complained of, may substitute another rate, which may be confirmed or set aside on appeal to a Court of Transportation which is to be called into existence. They are interested in two ways. In the first place, if the twin bills to which we refer should become laws, products of European manufacture could never again procure a lower rate of transportation

from the American seaport at which they might be landed to the interior place of consumption—say, Minneapolis or Kansas City—than could be obtained by domestic competing products shipped from some inland point to the same consumers. In the second place, American products of iron and steel, manufactured, let us say, at Pittsburg, could never again secure a lower rate for transportation to New York, when intended for exportation to European markets, than they could if meant to be distributed and consumed in the United States. So much for the significance which the President's railway policy ought to have in the eyes of foreigners. We need not point out that the Russian producers of crude and refined petroleum will prick up their ears when they learn that the Standard Oil Company may no longer be able to get rebates from the American railways transporting its commodities to Atlantic and Pacific ports for transmission abroad.

It would be almost superfluous to point out the eagerness with which foreign purveyors of some raw materials and certain manufactured products are watching the reception of the President's intimation that some of the duties imposed by the Dingley tariff ought to be reduced, so as to adjust them to existing industrial and commercial conditions. Nothing could exceed the suavity with which the proposal has been persistently urged, or the velvety smoothness of the glove enveloping the proposer's iron hand. It has become tolerably clear during the month of January that the Republican leaders in Congress have succumbed to the dulcet but firm pressure exerted by the President, and that, although no extra session of the Fifty-ninth Congress will be called for the purpose in the coming spring, the task of tariff revision will be seriously undertaken by committees during the summer, and the changes agreed upon will be submitted at an extra session to be held in the early autumn. We say "committees," because, although the Ways and Means Committee of the present House of Representatives expires with the Fifty-eighth Congress, all the members of it have been reelected, and may reasonably expect to reoccupy their former places, so that, properly enough, they can confer unofficially with the corresponding Senate committee.

Well-wishers and ill-wishers of our country are alike concerned to note the position taken by our Federal Government with reference to the solution of the negro problem in our Southern States, a problem the gravity of which is already tremendous, and easily

might be aggravated by ill-timed and injudicious interference. Such interference was threatened in the platform framed last year at Chicago by the Republican National Convention. A plank in that platform advised that measures should be taken toward an early enforcement of the second section of the Fourteenth Amendment of the Federal Constitution, which provides that a State's representation in the House of Representatives and in the Electoral College shall be reduced in proportion to the number of adult male citizens who in that State may be excluded from the franchise. Although no distinct allusion to the subject was made by Mr. Roosevelt, either in his letter of acceptance or in his speech of acceptance, it seems to have been taken for granted by not a few Republicans that his silence implied approval. In pursuance of this assumption, Mr. Crumpacker of Indiana introduced in the House of Representatives, and Mr. Platt of New York laid before the Senate, resolutions recommending that alleged restrictions of the franchise in certain States should be investigated, and that, if these were found to exist, the second section of the Fourteenth Amendment should be enforced by legislation. No other incident has occasioned such widespread uneasiness, not to say alarm, throughout the South since a Force Bill was mooted under the Harrison Administration. It may be remembered that, at that time and previously, the late James G. Blaine expressed the opinion that the adoption of the Fifteenth Amendment had modified seriously the effect and potency of the second section of the Fourteenth. That section had simply asserted that, whenever a State should see fit to exclude the negro from the right of suffrage, the Nation, on its part, would exclude the negro from the basis of apportionment. Mr. Blaine held that, when, by a subsequent change in the Constitution, the Nation declared peremptorily that a State should not exclude the negro from the right of suffrage, it neutralized and surrendered the contingent right, before possessed, of excluding him from the basis of apportionment. It seems to follow that, as things are now, Mr. Blaine would have said that there is no ground for a Force Bill, the second section of the Fourteenth Amendment having lost its vitality, and the Fifteenth Amendment not being applicable, inasmuch as in none of the Southern States is the negro excluded from the franchise *qua* negro, but as a citizen falling short of specified educational or property qualifications.

We do not know whether President Roosevelt has been much impressed by Mr. Blaine's argument, which makes the application of a Force Bill a matter, not of ethics, but of law. We imagine that he was much more influenced by the moral objections to an enforcement of the Fourteenth Amendment, which were set forth effectively by a Southern thinker, Mr. E. G. Murphy, in the last number of this REVIEW. Mr. Murphy undertook to prove—and, in the judgment of many dispassionate readers, he succeeded in proving—that an enforcement of the Fourteenth Amendment would work irreparable injury to the welfare and progress of the Southern States. He expressed the conviction that his fellow countrymen at the South would never consent to forfeit the representation in the House of Representatives and in the Electoral College to which their population entitles them, and that, sooner than submit to such a loss of political weight, they would level all the dykes which of late they have patiently erected to shield the intelligence, thrift and progressiveness of their section from being swamped by floods of negro ignorance and white illiteracy. Mr. Murphy did not hesitate to affirm that, in the past, the South had suffered as much, if not more, from the hide-bound prejudice and stubborn backwardness of illiterate whites as from the instability and corruptibility of uneducated and worthless negroes. In conclusion, he made a powerful appeal to warm-hearted and far-sighted men in all parts of the Republic, not to paralyze the efforts of the South to free herself from both sources of misfortune. Let the South go on with her attempt, he said, to make the franchise a certificate of merit, and thus gradually to purge herself of negro ignorance and white illiteracy. Whether it was, we repeat, Mr. Blaine's technical argument or Mr. Murphy's appeal to conscience that exercised the more influence on Mr. Roosevelt's mind, we are not competent to say; but certain it is that, in an interview with Judge Jones of Alabama, one of his appointees to the Federal Judiciary, he made an unequivocal announcement that he was opposed to the enforcement of the second section of the Fourteenth Amendment. We know of nothing that has happened during the last fifteen years that is of better augury for the advancement of the South and for the welfare of the whole Republic.

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THE CZAR'S SOLILOQUY.

BY MARK TWAIN.

After the Czar's morning bath it is his habit to meditate an hour before dressing himself.—*London Times Correspondence.*

[*Viewing himself in the pier-glass.*] Naked, what am I? A lank, skinny, spider-legged libel on the image of God! Look at the waxwork head—the face, with the expression of a melon—the projecting ears—the knotted elbows—the dished breast—the knife-edged shins—and then the feet, all beads and joints and bone-sprays, an imitation X-ray photograph! There is nothing imperial about this, nothing imposing, impressive, nothing to invoke awe and reverence. Is it this that a hundred and forty million Russians kiss the dust before and worship? Manifestly not! No one could worship this spectacle, which is Me. Then who is it, what is it, that they worship? Privately, none knows better than I: it is my clothes. Without my clothes I should be as destitute of authority as any other naked person. Nobody could tell me from a parson, a barber, a dude. Then who is the real Emperor of Russia? My clothes. There is no other.

As Teufelsdröckh suggested, what would man be—what would *any* man be—without his clothes? As soon as one stops and thinks over that proposition, one realizes that without his clothes a man would be nothing at all; that the clothes do not merely

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make the man, the clothes *are* the man; that without them he is a cipher, a vacancy, a nobody, a nothing.

Titles—another artificiality—are a part of his clothing. They and the dry-goods conceal the wearer's inferiority and make him seem great and a wonder, when at bottom there is nothing remarkable about him. They can move a nation to fall on its knees and sincerely worship an Emperor who, without the clothes and the title, would drop to the rank of the cobbler and be swallowed up and lost sight of in the massed multitude of the inconsequentials; an Emperor who, naked in a naked world, would get no notice, excite no remark, and be heedlessly shouldered and jostled like any other uncertified stranger, and perhaps offered a kopek to carry somebody's gripsack; yet an Emperor who, by the sheer might of those artificialities—clothes and a title—can get himself worshipped as a deity by his people, and at his pleasure and unrebuked can exile them, hunt them, harry them, destroy them, just as he would with so many rats if the accident of birth had furnished him a calling better suited to his capacities than emperoring. It is a stupendous force—that which resides in the all-concealing cloak of clothes and title; they fill the onlooker with awe; they make him tremble; yet he knows that every hereditary regal dignity commemorates a usurpation, a power illegitimately acquired, an authority conveyed and conferred by persons who did not own it. For monarchs have been chosen and elected by aristocracies only: a Nation has never elected one.

There is no power without clothes. It is the power that governs the human race. Strip its chiefs to the skin, and no State could be governed; naked officials could exercise no authority; they would look (and be) like everybody else—commonplace, inconsequential. A policeman in plain clothes is one man; in his uniform he is ten. Clothes and title are the most potent thing, the most formidable influence, in the earth. They move the human race to willing and spontaneous respect for the judge, the general, the admiral, the bishop, the ambassador, the frivolous earl, the idiot duke, the sultan, the king, the emperor. No great title is efficient without clothes to support it. In naked tribes of savages the kings wear some kind of rag or decoration which they make sacred to themselves and allow no one else to wear. The king of the great Fan tribe wears a bit of leopard-skin on his shoulder—it is sacred to royalty; the rest of him is perfectly naked. With-

out his bit of leopard-skin to awe and impress the people, he would not be able to keep his job.

[*After a silence.*] A curious invention, an unaccountable invention—the human race! The swarming Russian millions have for centuries meekly allowed our Family to rob them, insult them, trample them under foot, while they lived and suffered and died with no purpose and no function but to make that Family comfortable! These people are horses—just that—horses with clothes and a religion. A horse with the strength of a hundred men will let one man beat him, starve him, drive him; the Russian millions allow a mere handful of soldiers to hold them in slavery—and these very soldiers are their own sons and brothers!

A strange thing, when one considers it: to wit, the world applies to Czar and System the same moral axioms that have vogue and acceptance in civilized countries! Because, in civilized countries, it is wrong to remove oppressors otherwise than by process of law, it is held that the same rule applies in Russia, where there is no such thing as law—except for our Family. Laws are merely restraints—they have no other function. In civilized countries they restrain all persons, and restrain them all alike, which is fair and righteous; but in Russia such laws as exist make an exception—our Family. We do as we please; we have done as we pleased for centuries. Our common trade has been crime, our common pastime murder, our common beverage blood—the blood of the nation. Upon our heads lie millions of murders. Yet the pious moralist says it is a crime to assassinate us. We and our uncles are a family of cobras set over a hundred and forty million rabbits, whom we torture and murder and feed upon all our days; yet the moralist urges that to kill us is a crime, not a duty.

It is not for me to say it aloud, but to one on the inside—like me—this is naïvely funny; on its face, illogical. Our Family is above all law; there is no law that can reach us, restrain us, protect the people from us. Therefore, we are outlaws. Outlaws are a proper mark for any one's bullet. Ah! what could our Family do without the moralist? He has always been our stay, our support, our friend; to-day he is our *only* friend. Whenever there has been dark talk of assassination, he has come forward and saved us with his impressive maxim, "Forbear: nothing politically valuable was ever yet achieved by violence." He probably believes it. It is because he has by him no child's book of world-

history to teach him that his maxim lacks the backing of statistics. All thrones have been established by violence; no regal tyranny has ever been overthrown except by violence; by violence my fathers set up our throne; by murder, treachery, perjury, torture, banishment and the prison they have held it for four centuries, and by these same arts I hold it to-day. There is no Romanoff of learning and experience but would reverse the maxim and say: "Nothing politically valuable was ever yet achieved *except* by violence." The moralist realizes that to-day, for the first time in our history, my throne is in real peril and the nation waking up from its immemorial slave-lethargy; but he does not perceive that four deeds of violence are the reason for it: the assassination of the Finland Constitution by my hand; the slaughter, by revolutionary assassins, of Bobrikoff and Plehve; and my massacre of the unoffending innocents the other day. But the blood that flows in my veins—blood informed, trained, educated by its grim heredities, blood alert by its traditions, blood which has been to school four hundred years in the veins of professional assassins, my predecessors—*it* perceives, *it* understands! Those four deeds have set up a commotion in the inert and muddy deeps of the national heart such as no moral suasion could have accomplished; they have aroused hatred and hope in that long-atrophied heart; and, little by little, slowly but surely, that feeling will steal into every breast and possess it. In time, into even the *soldier's* breast—fatal day, day of doom, that! . . . . By and by, there will be results! How little the academical moralist knows of the tremendous moral force of massacre and assassination! . . . . Indeed there are going to be results! The nation is in labor; and by and by there will be a mighty birth—PATRIOTISM! To put it in rude, plain, unpalatable words—*true* patriotism, real patriotism: loyalty, not to a Family and a Fiction, but loyalty to the Nation itself!

. . . . There are twenty-five million families in Russia. There is a man-child at every mother's knee. If these were twenty-five million patriotic mothers, they would teach these man-children daily, saying: "Remember this, take it to heart, live by it, die for it if necessary: that our patriotism is medieval, outworn, obsolete; that the modern patriotism, the true patriotism, the only rational patriotism, is *loyalty to the Nation* ALL *the time, loyalty to the Government when it deserves it.*" With twenty-five million

taught and trained patriots in the land a generation from now, my successor would think twice before he would butcher a thousand helpless poor petitioners humbly begging for his kindness and justice, as I did the other day.

[*Reflective pause.*] Well, perhaps I have been affected by these depressing newspaper-clippings which I found under my pillow. I will read and ponder them again. [*Reads.*]

POLISH WOMEN KNOUTED.

Reservists' Wives Treated with Awful Brutality—At Least One Killed.

Special Cable to THE NEW YORK TIMES.

BERLIN, Nov. 27.—Infuriated by the unwillingness of the Polish troops to leave their wives and children, the Russian authorities at Kutno, a town on the Polish frontier, have treated the people in a manner almost incredibly cruel.

It is known that *one woman has been knouted to death* and that a number of others have been injured. Fifty persons have been thrown into jail. Some of the prisoners were *tortured into unconsciousness.*

Details of the brutalities are lacking, but it seems that the Cossacks tore the reservists from the arms of their wives and children and then *knouted the women who followed their husbands into the streets.*

In cases where reservists could not be found *their wives were dragged by their hair into the streets and there beaten. The chief official of the district and the Colonel of a regiment are said to have looked on while this was being done.*

A girl who had assisted in distributing Socialist tracts was *treated in an atrocious manner.*

CZAR AS LORD'S ANOINTED.

People Spent Night in Prayer and Fasting Before His Visit to Novgorod.

LONDON TIMES—NEW YORK TIMES. Special Cablegram.

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LONDON, July 27.—The London Times's Russian correspondents say the following extract from the Petersburger Zeitung, describing the Czar's recent doings at Novgorod, affords a typical instance of the servile adulation which the subjects of the Czar deem it necessary to adopt:

"The blessing of the troops, *who knelt devoutly before his Majesty,* was a profoundly moving spectacle. His Majesty held the sacred ikon aloft and pronounced aloud a blessing in his own name and that of the Empress.

"Thousands *wept with emotion and spiritual ecstasy.* Pupils of girls' schools scattered roses in the path of the monarch.

"People pressed up to the carriage in order to carry away an indelible memory of the *hallowed features of the Lord's Anointed.* Many old people had spent the night in prayer and fasting *in order to be worthy to gaze at his countenance with pure, undefiled souls.*

"The greatest enthusiasm prevails *at the happiness thus vouchsafed to the people.*"

[*Moved.*] How shameful! . . . . how pitiful! . . . . And how grotesque! . . . . To think—it was *I* that did those cruel things. . . . There is no escaping the personal responsibility—it was I that did them. And it was I that got that grovelling and awe-smitten worship! *I*—this thing in the mirror—this carrot! With one hand I flogged unoffending women to death and tortured prisoners to unconsciousness; and with the other I held up the fetish toward my fellow deity in heaven and called down His blessing upon my adoring animals whom, and whose forbears, with His holy approval, I and mine have been instructing in the pains of hell for four lagging centuries. It is a picture! To think that this thing in the mirror—this vegetable—is an accepted deity to a mighty nation, an innumerable host, and nobody laughs; and at the same time is a diligent and practical professional devil, and nobody marvels, nobody murmurs about incongruities and inconsistencies! Is the human race a joke? Was it devised and patched together in a dull time when there was nothing important to do? Has it no respect for itself? . . . . I think my respect for it is drooping, sinking—and my respect for myself along with it. . . . There is but one restorative—*Clothes!* respect-reviving, spirit-uplifting clothes! heaven's kindliest gift to man, his only protection against finding himself out: they deceive him, they confer dignity upon him; without them he has none. How charitable are clothes, how beneficent, how puissant, how inestimably precious! Mine are able to expand a human cipher into a globe-shadowing portent; they can command the respect of the whole world—including my own, which is fading. I will put them on.

MARK TWAIN.

THEODORE ROOSEVELT AND TIBERIUS GRACCHUS.

BY CHARLES S. DANA.

If one were to search the recorded doings of ancient and modern man with a view to finding a prototype of President Roosevelt, one's efforts would be, in a measure, rewarded on reaching the chapter devoted to Tiberius Gracchus. In birth, education, early environment, culture, ambition, even in temperament and character, there is a close resemblance between the ancient Tiberius and the modern Theodore. So striking is this resemblance that it suggests the possibility that Roosevelt may have taken the elder of the Gracchi as his model and kept the sturdy Tribune's aims and achievements constantly in mind during his own course along the pathway to distinction.

Tiberius was of noble, Theodore of gentle, birth. Both had in youth all the advantages that wealth and refined surroundings offer. Both developed a highly moral character. Both received an excellent degree of education. Both at an early age began to show an interest in public affairs. Both became thoroughly familiar with the history of their respective countries, and each, apparently, was convinced that a great and important task lay before him. In the methods by which each approached his task and, to a certain extent, in the tasks themselves, there is much similarity. Though related by birth and by marriage to people who are sometimes rather snobbishly called "the better classes," and associated with them in childhood and young manhood, both Tiberius and Theodore became essentially champions of the people and, later in life, antagonized—Tiberius very bitterly, and Theodore as yet only mildly—some of the more prosperous persons of their day and generation.

Nor does the parallel end here. Tiberius, as well as Theodore,

saw something of military life. Tiberius assisted in storming Carthage; Theodore assisted in storming Santiago, or, at least, in attacking some of the heights surrounding the Cuban city. Tiberius lent his aid in destroying the Carthaginian power; Theodore lent his aid in bringing to an end the Spanish power in the Western Hemisphere. Though their military experience was brief, it was creditable, for each gave evidence of courage and patriotism. The qualities which each might have shown to better advantage in the field, if a wider opportunity had been afforded to him, were shown in civil life. Roosevelt, like Gracchus, is a man of rare boldness and undoubted courage. He is also energetic, aggressive, persistent, determined. His honesty, like that of Tiberius, is of the rugged sort that knows no taint of suspicion and permits no compromise with laggards or evil-doers. Obstacles in the pathway of Roosevelt, like those in the pathway of Gracchus, seem only to be incentives to greater exertion. Tiberius pursued his objects with a zeal and devotion which seemed at times to render him deaf to entreaty. Theodore is the peer of Tiberius in zeal and devotion, while he is his superior in judgment. Gracchus lived during times which mark an epoch in Roman history; who can doubt that Roosevelt lives at a time which is destined to mark an epoch in American history?

Great opportunities lay before Gracchus, and he met them with courage and determination, if not at all times with discretion; great opportunities also lie before Roosevelt. Few would deny that he, too, has courage and determination, and what means the recent election if not that the people, at least, have confidence in his judgment?

In order to show wherein the respective tasks of the Roman Tribune and the American President resemble each other, it is necessary to tell very briefly of some of the things which Tiberius Gracchus did.

When Tiberius was born the Roman state was in a bad way. The small farmers of Italy had been crushed to earth by the rapacity of the great landholders. By a system of rapine and extortion, extending over a period of several centuries, the great capitalists had acquired control of most of the lands of Italy. The small farmer had almost disappeared. Sometimes, when he refused to sell, he was defrauded of his lands either by force or cunning. It was the more easy to induce him to part with his

modest possessions, because he found it impossible to compete successfully with the slave labor which the great landed proprietors had gradually introduced upon their estates. So the freemen of Italy were ultimately reduced almost to the condition of the slaves, and many, indeed, worked side by side with the slaves in the field—slaves themselves, in nearly everything but the name. The situation was not unlike that which would exist in the State of New York, if a few hundred persons should gain control of nearly all the lands in the State, introduce slave labor and so compel the former landholders to work for them for a miserable pittance. A situation, fortunately, which under modern conditions could exist only in the imagination and that merely for purposes of illustration! Fortunately, again, our modern evils are not agrarian.

Here was a condition of things that needed correction. Greed had gorged itself until a few were choking with abundance, while those upon whose possessions the more fortunate had fed were reduced to a state of abject woe. Many of the thinking men of Rome felt that, if the state did not put forth a supreme effort to meet these hard conditions, these conditions would soon overwhelm the state. This, in brief, was the problem that presented itself to Gracchus; and boldly did he address himself to its solution.

A way out of the difficulty lay in the fact that these Italian lands had originally been the property of the state. The proposition of Gracchus was that the state should resume possession of its own. He would leave to the occupants a certain portion of the lands they held, and lease the rest among the burgesses and others for a moderate rent. If the theory of socialism had been in vogue at Rome, Tiberius would have been declared a Socialist of the most pronounced sort. In effect, the scheme was socialistic, for families occupying or owning the lands now to be seized had held them for years, and in some cases for centuries, so that they had long since ceased to regard the state as possessing any claims to them. Under these circumstances, it was but natural that they should resolutely oppose the policy of Tiberius. The opposition came chiefly from the Senate, the headquarters of the Roman oligarchy. So, when Tiberius proposed the law, his opponents enlisted his colleague, one Marcus Octavius, to veto the measure. Later, the measure was again proposed and again

vetoed; and here Tiberius manifested his impatience of all restraints, even of the constitutional sort, for he proposed to the people that either he or his colleague should retire from office—an unheard-of thing under Roman law. Octavius protested, but Tiberius put the question to a vote, with the result that Octavius was deposed. Then the way was clear for Tiberius to pass his measure. As the historian Mommsen intimates, Tiberius, who had previously risked himself to save the commonwealth, now risked the commonwealth to save himself. Into the further details of the controversy, we need not go. Suffice it to say that Tiberius continued to tread the unconstitutional path until he encountered the armed wrath of the Senatorial party, which feared or pretended to fear that he was about to usurp supreme authority. It seems to be generally conceded that the intentions of Tiberius were good; it seems to be generally agreed that his methods were dangerous. Certain it is that in exceeding his constitutional powers, he established a precedent which many a usurper could cite with significant emphasis in the dark days of Rome that were soon to follow.

It is far from the present purpose to attempt to draw any close parallel between conditions as they existed in Rome and as they now exist in the United States. That the two sets of conditions present some points in common will, perhaps, be admitted. It can hardly be denied that the trust magnates of the present day and the great Roman landholders in the days of Tiberius resemble each other somewhat in their relation to their respective communities, as do the small competitors of the trusts and the small farmers of those ancient times; and that the third party to the controversy, the general public, suffers now as it did then from the depredations of the wealthy and the consequent losses of the less fortunate. A problem, therefore, confronts Roosevelt, just as a problem confronted Gracchus.

This latter-day problem is commercial rather than agrarian or rather it is both commercial and agrarian, for agriculture, as well as mining, manufacturing, trade and commerce, and, in fact, all branches of human industry, are involved in what is popularly known as "the trust question." It is to "the trust question" that Mr. Roosevelt will doubtless direct his best efforts, just as Gracchus directed his best efforts to the land question.

The seriousness of the problem that confronts President Roose-

velt has hardly begun to dawn upon the American public. The trust is a new thing. The public does not yet comprehend what it is, whence it came, or whither it is tending. In a general way, it knows that the trust is a vast combination of enterprises; that it can and does fix prices, control markets and prevent competition. So suddenly did the trust make its appearance, so startling are its methods, so defiant is it of the people and at times of the people's government, that the people can hardly be said to have recovered even yet from their first impressions of surprise and fear. The state of the public mind in regard to the trusts may even now be described as one of amazement at their sudden and gigantic growth, and alarm at their constant increase in numbers, wealth and power. It is as though numerous huge and terrible monsters should make their appearance among the hills and in the valleys, devouring here and there a victim, terrifying whole neighborhoods, and thus spreading alarm throughout the entire country.

This alarm seems destined to increase rather than to abate, until such time as the powers of the trusts shall be curbed. Time was in this country when the possessor of half a hundred thousand dollars, or less, was accounted wealthy. But a generation ago, a merchant who had accumulated a fortune of forty millions was regarded as a modern Crœsus. Now there are many fortunes of forty, fifty, seventy-five and even a hundred million dollars, and one citizen's belongings amount, or did amount within a few years, it is said, to one thousand million dollars. These figures emphasize the oft-repeated statement that the gulf between the rich and poor is widening and, consequently, becoming more and more impassable every year. And, if the changes that have taken place within the memory of the present generation have been so startling, what new and strange developments may not that generation witness which had its birth at the dawn of the twentieth century? And, if the veil be drawn aside a little farther, and we attempt to peer fifty, seventy-five or a hundred years into the future, what limits will there be to riches on the one hand and to misery on the other? It is time for men to consider whether they cannot prevent the abuses of great wealth, even though they may confess their inability to prevent these extraordinary accumulations.

Individuals die, and their wealth is distributed, usually, among

many heirs. Corporations live, and their powers, already far too great, seem destined constantly to increase. Already, the trust has shown itself able to control legislatures, debauch the electorate and at times to defy even government itself. Executives, legislators, prosecuting officers and courts of justice can testify to the difficulties which lie in the way of dealing with great aggregations of capital. All acknowledge that the evils of the situation are many and serious; few have any remedy to suggest. Where is the man with ability to devise a remedy and the courage to apply it?

President Roosevelt has given abundant evidence that he appreciates the enormity of the trust evils, and has manifested a desire to overcome them. Speaking at Providence in August, 1902, he emphatically declared that legislation was necessary to control the trusts, and he urged a constitutional amendment, if it were necessary, to give Congress authority to pass such legislation. Just what legislation was needed was evidently not clear to him, for he said: "I see no promise of a complete solution for all the problems we group together when we speak of the trust question." But he repeated that "additional legislation should be had."

At this time, President Roosevelt had occupied his high office a little less than a year. Since then, the Northern Securities decision has been rendered and the Beef Trust enjoined. It cannot be said that these achievements touch the root of the evil. It is as though Tiberius had waged war upon one or two of the great landed proprietors of his day, and gained a partial victory over them.

A far more significant achievement than these is the establishment of the Department of Commerce and Labor. This, at least, will enable the government to find out what it never was able to ascertain before—something about the inner workings of the trusts. At last, Mr. Roosevelt's dream of "publicity" seems about to be realized. When the investigations of this newly-created Department are made known, a long step will have been taken toward the solution of the difficulty. Publicity, however, is not all that is needed. It may suggest a remedy. It is not a remedy in itself.

It is hardly to be supposed that Mr. Roosevelt, who during the first year of his Presidency acquired something of a reputation as a "trust-buster," has desisted altogether from his attacks upon the trusts. "Trust-buster" is, of course, an idle term.

"Trust-curber" would suit the President better. That he has abandoned his idea of curbing the trusts, those who know Mr. Roosevelt are as little inclined to believe as those who knew Tiberius would have been inclined to believe that he would desist from his purpose of curbing the Roman landholders. The people, who are close to President Roosevelt, and who seem to regard him as closer to them than any President since Lincoln, will wish him "Godspeed."

There is a widespread belief that a change will come over the policy of the Roosevelt administration soon after the President's inauguration. When the mantle of the martyred McKinley, so to speak, falls from Mr. Roosevelt's shoulders, and he dons the ample robe provided for him by the people,—when, in other words, he receives his commission direct from the voters,—he will feel free to do and to attempt many things which he has thus far left undone or unattempted—at least, such is the general impression. The reason for his present attitude lies, doubtless, in his lofty sense of honor, which during the past three years must have made him ever mindful of his promise, made immediately on the death of his predecessor, that it should be his "constant aim to follow in the footsteps of William McKinley." On the fourth of March he will be absolved from that promise. On that day he will become President by virtue of election, and he can then inaugurate his own policies.

The Tribune, Gracchus, had but a year for the accomplishment of his reforms. He worked quickly and accomplished much. Legislation was a simpler matter in ancient Rome than it is in the United States. By the end of his term, President Roosevelt will have had nearly eight years to carry out his programme. The first year was spent in familiarizing himself with his task. By that time he saw the utter futility of proceeding against the trusts without complete information as to their status, their methods and their violations of law. Then came the establishment of the Department of Commerce and Labor. That was about two years ago, and during that period the Department must have collected a mass of data which has enabled the President to formulate, in a measure, his trust-curbing policy. His spirited action in favor of railroad-rate legislation and the prompt response of the House of Representatives in passing the Esch-Townsend bill by an almost unanimous vote, though important in themselves, are also

significant as precursors of what is likely to follow. But as Gracchus's real struggle was with the Roman Senate, so will Roosevelt's real struggle be with the American Senate. And as in the Roman Senate there was a powerful party which bitterly opposed the Tribune, so it is evident that in the American Senate there is a party, hardly less powerful, which is determined earnestly to oppose the President.

History shows that it is in the upper branch of parliamentary bodies that the conservative interests of a State manifest their chief strength. It is in the Senate that Mr. Roosevelt will find some of his strongest antagonists. Tiberius triumphed over the Roman Senate; will Theodore prevail over the American Senate? The answer must be left to the future.

It has been said that, in their methods of approaching their respective tasks, there is much similarity between Gracchus and Roosevelt. Gracchus in his work showed courage, resolution, persistency and boldness. Those who have observed Mr. Roosevelt's courage and resolution in the Cuban reciprocity matter, his persistency in the Crum case and his boldness in connection with the Panama incident need not doubt that his courage, resolution, persistency or boldness will desert him in his assault upon the trusts.

One other parallel between Gracchus and Roosevelt has not yet been noted. Roosevelt, like Gracchus, is impatient of restraint. Gracchus was more than impatient even of constitutional restraints. There are those who might say that in this respect also the American President resembles the Roman Tribune. Certain it is that, while he may emulate to advantage the noble achievements of Gracchus, Mr. Roosevelt will do well to avoid the errors of his great Roman prototype. But his is not the temperament which permits a man to derive satisfaction merely from avoiding errors!

In joining issue with the trust magnates, President Roosevelt will have the advantage, over Tiberius Gracchus, of dealing with men who are not as yet entrenched behind the prestige of centuries. He will have the disadvantage of dealing with men of vastly greater wealth, and hardly less power, than those who confronted Tiberius two thousand years ago.

CHARLES S. DANA.

THE TREATY-MAKING POWER.

BY UNITED STATES SENATOR S. M. CULLOM, CHAIRMAN OF THE COMMITTEE ON FOREIGN RELATIONS.

MR. GLADSTONE said, of the Constitution of the United States: "It is the most wonderful work ever struck off in a given time, by the brain and purpose of man." It is the foundation of the Republic, the enduring ledge which grips, forever, the anchor of our Ship of State. The difficulty of changing it is so great that it is almost immutable. Immediately after it went into effect ten amendments were adopted, and in the hundred and sixteen years that have followed, but five more have been found necessary; three through the abolition of slavery. Though framed for only six million pioneers, in the wilderness, it has stood the tests of time and the expansions of more than a century, and is to-day for eighty millions of people and the dominant nation of the earth as firm a foundation and safe an anchorage as it was for their forefathers.

Few important questions remain unsettled concerning the scope and intention of the Articles of the Constitution. Among them the most interesting concerns the treaty-making power. Even before its adoption, the able statesmen who framed the clause had widely differing opinions concerning its scope, and from 1796 to the present day the same diversity has caused long and heated debates in both branches of Congress.

When the President made and submitted to the Senate the treaty with Cuba, providing for the admission into this country of Cuban products, at reduced rates of duty, in contravention to the Dingley tariff, in return for like concessions from Cuba, upon our products, the treaty was duly ratified by the Senate, by more than a two-thirds vote, but it contained a provision that it should not take effect until approved by the Congress. The discussion

which arose was over the bill approving it, and the wide difference of opinion which still exists was shown in the three distinct positions which were supported, in debate, by the most learned and able lawyers in the Senate:

First, that reciprocity treaties could not constitutionally be made and ratified by the President and the Senate, even though Congress may subsequently pass a law to carry such treaties into effect, or may repeal the tariff laws with which they conflict;

Second, that reciprocity treaties *can* constitutionally be made by the President, ratified by the Senate, but that Congress must pass a law carrying all such treaties into effect;

Third, that the President and Senate have the power to make and ratify reciprocity treaties, and that they immediately become the supreme law of the land, repealing any law with which they may conflict; that, where the treaty does not itself provide for Congressional action, it becomes fully effective upon ratification by the Senate.

The Constitution says that the President shall have power, with and by the advice and consent of the Senate, to make treaties. At least, we shall all admit that the President does not derive his treaty-making power from Congress, and that no law of Congress can in any way modify or limit that power, and that, in the Constitution, Congress, as a legislative body, is not, in any way, a part of the treaty-making power.

Justice Field said upon this question:

"The treaty-making power, as expressed in the Constitution, is in terms unlimited except by those restrictions which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself, and that of the States. It would not be contended that it extends so far as to authorize that which the Constitution forbids, or a change in the character of the Government, or in that of one of the States, or a cession of any portion of the territory of the latter without its consent. But with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiations with a foreign nation."

Justice Story said:

"The power to make treaties is by the Constitution general, and of course it embraces all sorts of treaties, for peace or war, for commerce or territory, for alliance or succors, for indemnity for injuries or pay-

ment of debts, for recognition and enforcement of principles of public law, and for any other purpose which the policy or interests of independent sovereigns may dictate in their intercourse with each other."

The history of the treaty-making power is, in itself, suggestive of its intent. In the original Articles of Confederation, the power was given to Congress, only limited by the provision that no treaty should restrict the legislative power of the States to impose duties and prohibit commerce in any species of goods; and not the least of the defects which soon developed in the Articles was the defect in the treaty-making power. The result was the Constitutional Convention for the purpose of revising the Federal system of government, which met May 14th, 1787.

Early in the Convention, Alexander Hamilton suggested, practically, the treaty-clause which was afterward adopted: "That the Executive, with the advice and approbation of the Senate, have power to make all treaties, and that those treaties be a part of the supreme law of the land." Twice, in the Convention, it was proposed to add the House of Representatives, but Pennsylvania alone voted in the affirmative. An amendment was proposed by Mr. Morris, that no treaty should be binding till it was ratified by law, and this was also lost. During the last discussion of the clause, Mr. Wilson moved again to add the words, "House of Representatives," and this was also lost.

All of this is indisputable evidence, clearly showing that the subject was carefully discussed and fully understood, and that the almost unanimous voice of the Convention, of the framers of our Constitution, was that the treaty-making power should be vested in the President and its ratification rest with the Senate.

Before its final adoption, the Constitution was carefully, sometimes violently, discussed and debated in State conventions, every State taking up the treaty clause, Virginia most hotly of all, and finally suggesting the amendment that: "No commercial treaty shall be ratified without the concurrence of two-thirds of the whole number of the Senate." If the able men of Virginia who discussed this treaty-clause, as founders of the Constitution, had so construed it that, before a commercial treaty could become binding, an act of Congress would be necessary to establish it, they would not have sought to introduce an amendment providing that "no commercial treaty shall be ratified without the concurrence of two-thirds of the *whole* number of the Senate."

The first and in many respects most noteworthy attempt to restrict this power occurred in the House in 1796, seven years after the adoption of the Constitution. The House was called upon for an appropriation of $80,000 in carrying out the terms of the so-called "Jay treaty," between England and the United States. The treaty was intensely unpopular in the United States, a fact which influenced the action. It was in every sense a commercial treaty. Not until it was ratified and proclaimed did President Washington send a copy to the House "for its information," in connection with the appropriation. The House was in a majority against the Administration. It was an opportunity not to be lost. A resolution was offered, requesting President Washington to furnish the House with all correspondence in the matter, that it might judge of the wisdom of passing the appropriation. The right of the House to consider any question connected with a treaty, against its imperative duty to appropriate money so required, was vigorously fought, for a month—a long time, considering the fact that at the time there were only 96 members. They were reminded that in March, 1794, a law went into effect laying an embargo on all vessels, when the Executive construed an earlier treaty with Sweden as exempting the vessels of that nation, and they were suffered to depart, although Congress had prohibited it; that several treaties had been concluded with Indian tribes, embracing all of the points which were now subject of contest—settlement of boundaries, money grants—ratified by the Senate and proclaimed, without reference to the House, but that the House had considered them laws and made the necessary appropriations without discussion. The majority prevailed, and the resolution passed. President Washington refused to present the required correspondence, saying, in his message:

> "Having been a member of the general convention, and knowing the principles on which the Constitution was formed, I have ever entertained but one opinion on the subject, and from the first establishment of the Government to this moment my conduct has exemplified that opinion, that the power of making treaties is exclusively vested in the President, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur, and that every treaty so made and promulgated thenceforward becomes the law of the land."

This opinion of President Washington was not based wholly upon his own convictions, nor was he alone responsible for the

action. He received written opinions from every member of his Cabinet. Among them was Oliver Ellsworth, afterward Chief Justice of the Supreme Court. Chief-Justice Ellsworth's letter, written March 13, 1796, I believe, has never before been published. It is, in part, as follows:

"The grant of the treaty-making power is in these words: 'The President, with the advice and consent of the Senate, shall make treaties.' The power goes to all kinds of treaties, because no exception is expressed; and also because no treaty-making power is elsewhere granted to others, and it is not to be supposed that the Constitution has omitted to vest sufficient power to make all kinds of treaties which have usually been made, or which the existence or interests of the nation may require.

"The effect of treaties is declared in these words: 'All treaties made under the authority of the United States shall be the supreme law of the land.' The Constitution gives them their effect, and they do not, therefore, need or derive it from Congressional resolutions or statutes. The instant the President and Senate have made a treaty, the Constitution makes it the law of the land; and, of course, all persons and bodies, in whatever station or department, within the jurisdiction of the United States, are bound to conform their actions and proceedings to it.

"Such treaty, *ipso facto*, repeals all existing laws so far as they interfere with it. This is an inseparable attribute of a statute or of what has the effect of one; but, on the other hand, a treaty cannot be repealed or annulled by statute, because it is a compact with a foreign Power, and one party to a compact cannot dissolve it without the consent of the other.

"The claim of the House of Representatives to participate in or control the treaty-making power is as unwarranted as it is dangerous. It has no support but from a usage of the British House of Commons, the reason of which does not apply here. The House of Representatives have no examination to make, nor does it appear that they have before them any legitimate object of inquiry to which the papers can apply. They have a right to impeach, or to originate a declaration of war, but neither of these objects is avowed by the House nor are they to be presumed."

A resolution of protest was passed, but the House also passed the necessary appropriation; so that the question was left unsettled on the first occasion when it was discussed, and the same arguments have been used many times, since then, down to the present day, with the same result, and it is doubtful if it is now any nearer a final settlement, at least so far as the contending opinions of Congress are concerned.

In 1803, the whole question was again discussed, when Congress

was called upon to make the appropriation for the purchase of Louisiana. Jefferson was then President. In 1790, he was of the opinion that a treaty of itself repealed a revenue law, as he stated, in a written opinion, on a treaty with the Creek Indians, which he submitted to Washington on July 29th:

"A treaty made by the President, with the concurrence of two-thirds of the Senate, is the law of the land, and a law of superior order, because it not only repeals past laws, but cannot itself be repealed by future ones. The treaty then will legally control the duty acts."

It will be noted that Jefferson's opinion touches the very question which has been so much discussed—whether a treaty, of itself, repeals a duty or revenue law.

Thus far the question had only been as to the duty of the House to pass the required appropriations; but, in 1816, the question came under consideration: Does an act of Congress become necessary to repeal a revenue or tariff law with which a treaty conflicts, or does the treaty, of its own force, repeal it? It cannot, I suppose, be questioned that treaties generally repeal laws with which they conflict; but do they repeal revenue and tariff laws?

The treaty regulating commerce and trade between the United States and Great Britain, signed by Adams, Clay and Gallatin, was necessitated by discriminating revenue laws which grew out of the war of 1812, and was in direct conflict with certain revenue acts of Congress. After it was ratified and proclaimed by President Madison, he laid the proclamation before Congress, stating: "I recommend such legislative provisions as the convention may call for, on the part of the United States."

Simply out of courtesy, the Senate passed a Declaratory Act, stating that: "So much of any act or acts as is contrary to the provisions of the convention shall be deemed and taken to be of no force or effect." But the House, in an effort to instigate the question of its rights, passed a bill of its own, in which the provisions of the treaty were substantially reenacted, in the shape of law. When this bill came before the Senate, Senator Barbour, of Virginia, made a strong protest, in which he said:

"Is the aid of the legislature necessary in all cases whatsoever to give effect to a commercial treaty? It is readily admitted that it is not; that a treaty whose influence is extra-territorial becomes obligatory the instant of its ratification; that, as the aid of the legislature

is not necessary to its execution, the legislature has no right to interpose. It is then admitted that while a general power on the subject of commerce is given to Congress, that yet important commercial regulations may be adopted by treaty, without the cooperation of the legislature, notwithstanding the generality of the grant of power on commercial subjects to Congress.

"If it be true that the President and Senate have, in their treaty-making power, an exclusive control over part and not over the whole, I demand to know at what point that exclusive control ceases. In the clause relied upon there is no limitation. The fact is, none exists. The treaty-making power over commerce is supreme. No legislative sanction is necessary, if the treaty be capable of self-execution; and when a legislative sanction is necessary, as I shall more at large hereafter show, such sanction when given adds nothing to the validity of the treaty, but enables the proper authority to execute it; and when the legislature does act in this regard, it is under such obligation as the necessity of fulfilling a moral contract imposes. Congress has power to lay embargoes, pass non-intercourse laws, or non-importation or countervailing laws, but the President and Senate have a right to repeal or modify them by treaty. If by treaty we agree, as in this case, that for an equivalent we will forbear to exact a higher tonnage duty on British than American ships, then the treaty, as it needs no legislative aid, is self-executory."

Senator Fromentin, an able lawyer and judge, who spoke upon the question, said:

"A treaty is a law; it is not to become a law when an act shall have been passed by Congress to make it so. Otherwise, it would have been useless to make treaties a part of the supreme law. The Constitution declares that from the moment a treaty has been ratified, by and with the consent and advice of the Senate, it is the supreme law. There can be no two definitions of law. Does not a treaty of peace repeal the act of Congress declaring war?"

Two of the greatest speeches ever made in Congress were delivered, on this occasion, by John C. Calhoun and William Pinkney, both in the House of Representatives, both claiming that the treaty itself, by its own force, repealed all laws in contravention with it.

These speeches are far too long to quote. Brief extracts cannot give the pith of them. Those interested in the subject should obtain and study the entire reasoning of these two men, upon a vital occasion when they turned their best talents to the question.

Only one clause of Mr. Calhoun's speech is here quoted, and that simply because it suggests a vital argument why the treaty-

making power must be vested in other hands than Congress. In defining a treaty as a contract between two parties, he said:

"It is no more or less than that Congress cannot make a contract with a foreign nation.

"Let us apply it to a treaty of commerce—to this very case. Can Congress do what this treaty has done? It has repealed *the discriminating duties* between this country and England. Either could by law repeal its own. But by law they could go no further, and for the same reason that peace cannot be made by law. Whenever, then, an ordinary subject of legislation can only be regulated by contract, it passes from the sphere of the ordinary powers of making laws and attaches itself to that of making treaties. The truth is the legislative and treaty-making powers are never in the strict sense concurrent. They both may have the same subject, as in this case commerce, but they discharge functions as different in relation to it in their nature as their subject is alike. It is proposed to establish some regulation of commerce. We immediately inquire, Does it depend on our will; can we make the desired regulation without the concurrence of any foreign power? If so, it belongs to Congress, and any one would feel it to be absurd to attempt to effect it by treaty.

"On the contrary, does it require the consent of a foreign power? *Is it proposed to grant a favor, to repeal discriminating duties on both sides?* It is equally felt to belong to the treaty power; and he would be thought insane who would propose to abolish the discriminating duties in any case by an act of the American Congress."

But another document exists which is not so easily accessible, as it has never been published. It is a letter written by J. C. Calhoun, when he was Secretary of State, in 1844, to Mr. Henry Wheaton, in whose hands was the negotiation of the treaty between the United States and the German Customs Union. The original letter is now in the State Department.

The treaty had been presented to the Senate, and by the Foreign Relations Committee its ratification was unfavorably reported, so close upon the adjournment of the Senate that discussion was impossible, and it was laid on the table. A few lines from Secretary Calhoun's letter will show that by the wider field and closer intimacy with the possibilities and necessities of the treaty-making power his previous opinions had only been strengthened. The letter states:

"I have examined the objections to the treaty with care, and must say they seem to me neither insuperable nor formidable. The two leading objections urged are: 'lack of constitutional competency' to make the

treaty and 'the unequal value of the stipulated equivalents.' The report relies mainly upon the former to support the conclusions. 'Upon this single ground' it advises that it be rejected. The report states that 'the control of trade and the function of taxing belong, without abridgment or participation, to Congress'; and concludes that the treaty is unconstitutional and ought to be rejected.

"With all due deference, I must think that the report greatly errs as to a part of its premises and wholly as to its conclusions."

After referring to past treaties the letter continues:

"There is an entire and numerous class—I refer to reciprocity treaties —which almost invariably contain changes in existing laws regulating commerce and navigation, and duties laid by law. So well is the practice settled that it is believed it has never before been questioned. The only question, it is believed, that was ever made was, whether an act of Congress was not necessary to sanction and carry the stipulations, making the change, into effect.

"It is true that the Constitution delegates to Congress the power of regulating commerce and laying duties. But does the delegation of a power to Congress exclude it from being the subject of the treaty-making power? If so, then all powers appertaining to our foreign relations are excluded from the treaty power.

"The treaty-making power has been regarded to be so comprehensive as to embrace, with few exceptions, all questions which can possibly arise between us and other nations, and which can only be adjusted by mutual consent."

William Pinkney, the great statesman, lawyer and diplomat of the day, who made the other notable address, with Mr. Calhoun, was a member of the conventions ratifying constitutions, and was equally earnest in insisting that the treaty of commerce is self-executing. Aside from its lucid opinions, however, there is a paragraph bordering on prophecy, which suggests the reason, not only of the continual renewal of this question in Congress, but why the public at large should be thoroughly informed in this vital matter, and be able to render intelligent judgment, without relying upon some, possibly prejudiced, mentor. Mr. Pinkney said:

"By what process of reasoning will you be able to extract from the wide field of that general provision, giving the President and Senate power over treaties, the obnoxious case of a commercial treaty, without forcing along with it the case of a treaty of peace, and along with that again the case of every possible treaty?

"Nay, the whole treaty-making power will be blotted from the Con-

stitution, and a new one, alien to its theory and practice, be made to supplant it, if sanction and scope be given to the principles of this bill. The bill may indeed be considered as the first of many assaults, not now considered as assaults perhaps, but not therefore the less likely to happen, by which the treaty-making power, as created and lodged by the Constitution, will be pushed from its place and compelled to abide with the power of ordinary legislation. The example of this bill is beyond its ostensible limits.

"The pernicious principle, of which it is at once the child and apostle, must work onward and to the right and left until it has exhausted itself, and it never can exhaust itself until it has gathered into the vortex of the legislative powers by Congress the whole treaty-making capacity of the Government."

The suggested possibility has thus far proven true, and the matter is still under discussion, with no new features; and still as far from final settlement, apparently, as ever. Mr. Pinkney's fear that it might become a matter of *policy* seems not to have been without foundation. In many more modern instances than these that have been referred to, the ground has been gone over and over. Masses of the ablest opinions have been collecting, but all to no purpose. Volumes of later quotations might be made, in line with those already given; meanwhile, we have been continuously negotiating treaties, through the Executive, ratified by the Senate, which have, therefore, been sustained as the supreme law of the land.

The Constitution gives to Congress powers over specific subjects; but that has never prevented the treaty-making power from regulating the same subjects by convention. Congress is given power to establish a uniform rule of naturalization, for example; yet, in our treaty acquiring Louisiana, it was expressly stated that the residents of the territory should become citizens of the United States. Congress is given power to make rules for the government of the army and navy, but the Hague Convention stipulated rules which would govern our armies in case of war.

It is claimed that reciprocity treaties, unlike other treaties, do not become fully effective without Congress, because the Constitution provides that bills for raising revenue shall originate in the House; but there is less reason for saying that a reciprocity treaty is unconstitutional because of that provision, than that a commercial treaty is unconstitutional because of the commerce clause. The provision was not intended as a limit to the treaty-

making power. It was Justice Story's opinion that the term "revenue bill" implies those bills which levy taxes, in the strict sense of the word, and not bills for other purposes which may incidentally deal with revenue. As a matter of fact, the legislative and treaty-making powers are absolutely separate and distinct. Whenever there is to be an agreement between two independent nations, there the treaty power must make the laws that shall govern; and the very fact that they are to govern two nations renders it obviously necessary that they must be supreme and immutable. It is true that the Supreme Court has held that an act of Congress may repeal a treaty; but such a repeal would only be effective so far as our own domestic law is concerned. The other nation would still have a right to consider us bound, by our contract; and, if the contract was broken on our part, it might lead to a declaration of war. The two powers do not conflict. The whole controversy is an effort to crowd another element, a very large and divided element, to-day—the House of Representatives—into the treaty-making power, with the result which Pinkney so pointedly suggested. It requires no extended vision to see the complications and delays which would result, increasing the already hampered conditions of international intercourse and contact, and the absurdities to which it would lead.

The powers are distinct. The framers of the Constitution intended that they should be distinct. They must remain distinct. A reciprocity treaty is as much a part of the supreme law of the land as any other treaty, and, if it contains no provision for Congressional action, of its own force it repeals a revenue or tariff law the moment it is made by the President and ratified by the Senate.

The recent claim that the "favored nation clause" in our treaties precludes us from making reciprocity conventions, has already been determined by the Supreme Court, in its statement that other nations cannot ever claim the same concessions as are given by means of reciprocity, as they are obviously an exchange of valuable considerations.

The strongest argument and authority which have been used against the validity of reciprocity treaties appeared in a speech which the late Senator Morrill made, in the Senate, when the Mexican treaty was pending for ratification. He is reported in the "Record" as saying, on the authority of Senator Hoar, that

Daniel Webster said: "I hope I know the history of my country better than to think a reciprocity treaty is constitutional."

Since that time, this has often been referred to; and it has been made the most of, in many ways. It may possibly be the case; but, without expressing a personal opinion, I can say that I have made a most thorough examination without being able to find any such statement, or indication of where it was made. In a speech in Baltimore, in 1845, Daniel Webster declared his opinion that the principle of reciprocity was wrong; but he did not say that a reciprocity treaty was unconstitutional. There is also a letter of instruction which Webster wrote to our Minister in England, in reference to the proposed Oregon boundary treaty, in which he said: "Any attempt to regulate duties by treaties must be well considered, before it is entered upon." Such a statement does not indicate that Webster considered reciprocity treaties unconstitutional.

Retracing the steps, it is difficult, I think, for any one who is unprejudiced to understand how our treaties can be considered unconstitutional or can require Congressional action before becoming effective. The treaty-making power must rest where the Constitution so plainly vests it, in the President, with and by the advice and consent of the Senate; and, for the best interests of the country and the facility of international intercourse, I hope it may always remain so.

S. M. Cullom.

HOW THE STOCK-MARKET REFLECTS VALUES.

BY CHARLES A. CONANT.

It is a truism that changes in the value of corporate properties are reflected by changes in quotations for their shares in the stock-market. It is not so well understood, perhaps, outside of economic circles just how far values in the stock-market also reflect the values of other forms of property, and determine the direction of the employment of capital. It is sometimes assumed that the stock-market is a thing apart from other markets, and that such persons as the manufacturer, the merchant, and the dealer in real estate need not give attention to its vagaries as having any bearing on their own transactions. It is proposed here to show that quotations on the stock-market, while more sensitive than those for other forms of property, in the long run reflect all values which are influenced by the supply of capital and determine the direction in which new capital shall be applied.

The stock-market is the barometer of the supply of uninvested capital and the demand for it. The fluctuations in the different classes of securities on the stock-market afford an index to the owners of free capital in what direction it can be most profitably invested. If Western railway stocks, for instance, are high, it is an indication that they are earning large dividends, and is an encouragement to float new enterprises of a similar character. Similarly, if the earnings of steel companies are poor, their securities decline in value, and this is a convincing warning to capitalists not to buy the securities of new steel enterprises. Mistakes, miscalculations, over-sanguine estimates of the future, too rapid discounting of prospective benefits, are, of course, constantly taking place, but they are mistakes which are quickly corrected when the sensitive indications of earning power and stock-market values give clear warning.

Prices, whether of commodities or of securities, are an index of relative values. If a bushel of wheat sells for one dollar at the same time that ten pounds of cotton sell for one dollar, it is an indication that these quantities of these two articles are of equal values. But when a bushel of wheat sells for 80 cents and ten pounds of cotton continue to sell for one dollar, the fact is expressed that wheat has fallen in relation to cotton in the value proportion of one-fifth. It is the same in regard to securities. If the Blank Railway stock sells at 120 while some other stock sells at 100, it is an indication that in the estimation of buyers the Blank Railway stock is worth twenty per cent. more than the other stock. Any common denominator would express the ratio of value between wheat and cotton, like the use of the numerals 4 to 5 or 4-5 to 1. Money has come to be used in civilized communities, however, to express this relation, so that relative values take the form of prices. It remains to point out how these ratios of value, as reflected in prices, determine in the long run the direction of the entire economic efficiency of a community,—that is, the direction in which every man shall apply the savings of his past labor and his actual future labor.

As already pointed out, the value of commodities is a question of their relationship to each other. The interposition of money in a sense complicates the determination of value. It greatly simplifies the expression of other values because it affords a common denominator, but it introduces the element of possible fluctuations in the value of money into the fluctuations of relationship between different commodities. Money is itself a commodity highly sensitive in its relationship to other commodities. Whether changes in its value are the result of causes arising in connection with money or causes arising in connection with goods can be passed over here. It is only necessary to point out that money is in a sense a commodity of a highly variable value, because it reflects the changes of relationship between all other things.

Real money in gold-standard countries consists of gold. The floating stock of gold, therefore, in any community may be described as on the margin of values, because it is highly sensitive to events affecting the economic relations of demand and supply of other articles. Gold is the most acceptable of all commodities, because it is the most exchangeable. Almost equally available, however, for exchange are other forms of currency, many forms

of credit, like bills of exchange, drafts and foreign balances, and the active stocks quoted on the stock exchange. Especially available are those securities dealt in between several countries, which are the subjects of arbitrage operations. If 100 shares of one of these stocks can be sold in London at a slightly higher price than it can be bought for in New York, due consideration being given to rates of interest and exchange, then it becomes a useful medium for transferring capital or credit. In some respects such securities are even more mobile than gold, although not more mobile than credits which are transferable by cable.

While securities are, therefore, practically as sensitive to changes in value as gold or foreign credits, yet in a graded scale of such sensitiveness or mobility gold would, logically at least, be put first; other classes of currency next; then other forms of credit; then stocks on the active list; next stocks and bonds suitable for trust funds and usually on the inactive list; then raw materials of production; and, finally, fixed capital in the form of manufacturing plants, railways, and improved real estate. A disturbance of the economic order, whether by a shock to confidence or by an increased demand for given products, acts first upon the demand for banking credits, which rest upon gold; then upon the prices of active stocks; then upon those less active; and, if persistent in its operation, upon the prices of the materials of industry, upon the values of manufacturing and transportation plants, and even upon real-estate values of all classes.

It might seem at first blush as though only those values were affected by the stock-market which are represented by securities quoted on the market. It is undoubtedly the fact that it is these quoted properties which are most sensitive to changes in the conditions which affect value. The so-called "active" stocks in the market—those which are most traded in by speculators—constitute a sort of elastic element, below which are the more solid securities which are less active, and, farther down, properties which are not represented by securities at all. Many of the changes in the stock-market, especially those of a day or a week, do not seem to be reflected directly by corresponding changes in the values of other property. The owner of a house or a building-lot in New York or Washington, or of a farm in Illinois or Nebraska, does not change the price of his property because Pennsylvania Railroad stock has fallen three points the previous day

in Wall Street, or the Steel Corporation has reduced its dividend. If, however, the causes which produce these changes in the quotations for stocks are permanent or serious in their character, they sooner or later react upon all values, whether they are represented by stock-exchange securities or not.

Even in respect to the fluctuations of a day, while they may not result in a deliberate change in the price of a property, they may affect the possibility of its sale. In an ascending stock-market, regarded as the index of genuine business progress, a purchaser of ground for a new factory will be much more disposed to pay the price charged than in a falling or irregular market, which may be the index of industrial troubles to come. Subject also to the influence of stock-market hopes or fears will be the man purchasing land for a new home, in the expectation of continuous business prosperity. If he doubts the future, he will wait, and if he waits long the market for real estate, as well as that for stocks, will feel the influence of his waiting. Thus it is clear that all properties substantially reflect sooner or later the sensitive indications of changes in value afforded by the stock-market. Those influences which merely make for delay and for a "slow" or "heavy" market are less apparent, because they cannot be reduced to a definite mathematical expression. It is upon the stock-market that new influences affecting values are felt most promptly and keenly, because the market is capable, by fractional changes in quotations, of measuring them through the medium of price.

The "active" stocks fluctuate more frequently and widely than other classes of property because they are on the margin of speculation. They represent marginal investment in several senses. They represent usually properties whose dividends are more likely to be suspended, or their prospect of future dividends postponed or impaired, by unfavorable developments affecting value than the bonds or "gilt-edged" stocks which are not the subject of speculation. Their origin and position are well defined by Emery:*

"Each new enterprise must stand the test of criticism, and unless unusually sound will be the subject of active speculation. Its ups and downs follow the changes of opinion, until gradually a continuous flow of dividends of moderate amount shows the stability of the real value (or lack of dividends shows the valuelessness) of the security, and specula-

* "Speculation on the Stock and Produce Exchanges of the United States," p. 153.

tion ceases. The particular investment has been put through the ordeal and come out whole. It then becomes a field for the private investor. Many of the more active stocks of to-day may run the same course, and fall into the honorable obscurity of certainty."

In another and perhaps more distinctive sense the active stocks are on the margin of speculation, because they are more influenced than other properties by the amount of free capital in the market. There is always an undistributed supply of these active stocks which is readily absorbed when surplus capital is plentiful, but which proves a weight upon the market when free capital becomes scarce. While these supplies of capital are daily influenced by those forces which influence earning power, it might theoretically be possible that capital had become scarce while earning power continued unimpaired. In such cases, the market prices of the stock would fall because of the scarcity of capital. This cause might be described as extrinsic to the stock, while the causes influencing its dividend-paying power would be intrinsic. It is the constant interplay of these two classes of forces—those which influence earning power directly, and those which influence the supply of free capital—which determines actual quotations in the stock-market.

Each of these influences, moreover, reveals itself in manifold forms. Among the influences which affect prospective earning power, are all the facts and rumors which indicate the economic future,—not only whether crops are to be large or small, but whether consumption is to be greater or less; whether given properties are managed well or ill; whether the rate of growth of population and wealth promises increased earning power in the future, or whether competitive establishments threaten to reduce the margin of profit; whether legislatures are disposed to grant new franchises and continue old ones, or to impose direct burdens to be paid out of dividends, and indirect burdens, which gradually cripple the producing power and the initiative of the community.

It is because these facts and many others have a bearing on the present and future earning power of property represented by securities on the stock exchange that every particle of news having any business significance, even though it is in part diplomatic or political, is so eagerly sought and closely scanned by the careful broker and speculator. It is in estimating the exact weight to be given to each of such probabilities in affecting the

price of a given stock that the speculator is said to "discount" the market, and inevitably he makes a larger allowance for the effect of such contingencies upon "active" and undistributed securities than upon those whose earning power such contingencies are likely to affect less seriously.

"Gilt-edged" securities—those suitable for the investment of trust funds—acquire their character because they represent enterprises which are not on the margin of speculative investment. If they are manufacturing enterprises, they are engaged in producing articles of nearly constant demand, only slightly affected by changes in degrees of prosperity. If they are railroads, they are in old and thickly settled sections, where traffic is not likely, even under the most adverse conditions, to fall below the amount required to pay interest or earn dividends. If they are government bonds, as is often the case, they depend upon the element, less distinctly economic, of the good faith and established credit of the issuer, but even here value depends upon the fundamental requirement that the community shall possess the wealth and economic efficiency necessary to pay taxes and maintain a well-balanced budget. In all these cases, such securities may represent a first lien on earnings whose ultimate limit is more or less speculative; but the "gilt-edged" securities will be secured by earnings below the margin of speculation, while the "active" securities will represent the earnings beyond this margin which may fluctuate greatly under varying conditions.

On the side of the supply of floating capital, also, the influences are manifold which may raise or depress the prices of securities. To a certain extent these influences are general in their scope, and affect more or less the "gilt-edged" investment securities as well as those of a more speculative character. Fundamentally, the volume of free capital is disclosed by the rates for the use of money. If what is popularly called "money" is scarce, the interest rate is high; if it is plentiful, the interest rate is low. Under the direct operation of this influence, the prices of stocks should be high when money is low, and should be low when money is high. The influences which operate upon the stock-market, however, are psychological as well as quantitative. Hence it often happens that the spirit of speculation and optimism which accompanies a rising market persists in the face of high rates for money. On the other hand, stock speculation may be at a stand-

still and prices of securities low while money lies idle in the banks and begs for employment at low rates. The operation of this psychological influence is sometimes felt, therefore, in direct opposition to what would be the mathematical influence of the supply of free capital, and this fact indicates how difficult is the problem of the speculator of estimating truly the future value of securities.

When the demand for money and capital is active, it is because circulating capital is being converted into fixed forms. Men who are saving money are investing it in the extension of the mechanism for making and transporting goods. Under the modern organization of industry and finance, this does not require that each individual with money to invest shall be the operator of a mill or railway. In order to be part owner, with participation in the profits without direct responsibility for the management, he is able to make his investment by buying shares in new enterprises on the stock-market. In prosperous times, the demand for such shares begins to exceed the supply, unless many new enterprises are undertaken.

The fact that new capital is coming into the market seeking investment operates to enhance the price of existing securities as well as to afford a market for new ones. To the investor with capital to spare, it is indifferent whether he buys stock of an old company which is paying dividends or a new company which under assurances of equal safety offers the same return upon the amount invested. In the market the whole body of new capital bids for the whole volume of securities. There is no distinction between the old and the new as such, except as the new securities in most cases are "undistributed," and from being untried may appeal to the speculative element rather than to those who seek a tested "gilt-edged" investment.

The increase in the price of securities is due, fundamentally, to an increase of capital bidding for their ownership. A demand, however, usually creates a supply, and hence the large investment demand results in the creation of new securities, which sometimes have little other warrant for existence. There comes a point at which, even if the proposed enterprises are not distinctly fraudulent or unsafe, the supply of capital for carrying them on is entirely absorbed. The psychological element of faith in a rising market is usually prolonged beyond the point at which the supply

of capital equals the demand. Capital cannot under any circumstances be applied to new enterprises beyond the amount for which it actually exists; but under our flexible system of credit it may be subscribed, by borrowing, for new enterprises, up to the point where bank reserves are reduced below the point of safety, and by bringing it in from abroad.

When sharp warning is given by impaired bank reserves of the exhaustion of the fund of free capital, the psychological element becomes the controlling factor in the market. The demand for stocks in new enterprises ceases, often very abruptly; these and other stocks fall; the strain put upon the financial resources of new enterprises breaks down the weak, and their collapse arouses fears in regard to others. Hence develop conditions approaching a panic, and the owners of capital are driven by fear from the stock-market. Under such circumstances, not only do stocks fall rapidly in price, but even those considerable accumulations of capital which go on in both good times and bad do not make their appearance in the stock-market bidding for securities. The psychological factor in the problem keeps the new capital in the form of banking credits, and leaves securities to fall to low prices because they are confronted by only a limited demand.

The mechanism through which these conditions are expressed in the money market is complicated, but elastic. It is influenced primarily by the rates charged at the banks for the use of capital. It is influenced also by such banking laws and customs as prescribe definite rates for reserves. A law which imposes unnecessary restrictions on the issue of bank-notes makes it less easy to convert saved capital into transferable form. A law which compels the setting aside of special reserve funds—like the recent requirement imposed by the New York Clearing-House on trust companies as a condition of using the Clearing-House—might reduce materially the amount of capital seeking investment in the stock-market by compelling the trust companies, if they complied with such a requirement, to call in loans to the amount of several times the cash which they were required to set aside. The state of foreign exchange, whether resulting in large offerings of bills, which might place considerable sums for lending at the command of the exchange houses, or compelling the shipment of gold with corresponding contraction of credit, is another factor in determining the movement of circulating capital and the

prices of securities. Measures of the government in withdrawing money from the market by taxation, or putting it into the market in the form of deposits in banks, are also an important factor in the United States and in some other countries. In Great Britain, when the government wishes to contract the volume of credit, it "borrows from the public," according to the phrase of Lombard Street, by selling treasury certificates and transferring the proceeds to the Bank of England. The Bank cooperates with the government, if contraction is desired, by raising its discount rate and thus preventing the too easy return of the money into the hands of the public.

It is the relation of the gold-supply to credit which reflects the supply of free capital and causes those sudden and sharp changes in the stock-market which are considered by superficial observers as independent of the general conditions of business. If credit has been overstrained by speculation, there comes a time when gold reserves are depleted and energetic steps have to be taken to replenish them. The classical method for doing this is to reduce loans and raise interest rates. Both these steps tend to discourage speculation by making it more difficult to carry securities at a profit on margins. Hence securities are thrown upon the market, already disturbed, radically changing the relations between supply and demand for them. While the stock-market, by means of the arbitrage of securities and the ability to substitute securities for gold in paying foreign obligations, acts in the long run as an effective buffer between gold and goods, yet in so acting it displays a sensitiveness which sometimes leads to a misconception of its functions.

The sensitiveness of the stock-market is due to the fact that it is the market for capital which is free and uninvested. Individuals and institutions having capital which they have not decided to invest in a permanent manner in new mills, new railways, or some other form of fixed capital, hold it in the form of gold coin or banking credits. It is conceivable, and it often happens, that this fund of floating capital changes radically in its relation to the volume of securities in the market within comparatively short intervals. While the number of available acres of real estate in the country is expansible only by the clearing of new tracts, and the capital invested in cotton-mills or iron-mills at any given moment is capable of increase only by the slow processes

of new construction or improvement of old, so that these forms of capital are comparatively fixed within short intervals of time, the supply of floating capital in a given market may change by ten or twenty per cent., or even more, within a very short interval. Hence it is that values in the stock-market reflect in a most sensitive manner this movement of capital.

A good illustration of sudden changes in the factors of both free capital and confidence is afforded by the experience of the three years 1902-4. During the first year of this period, free capital was constantly coming upon the market, seeking investment. But the supply soon overtook the demand. A surplus of "undigested securities" pressed upon the market in 1903, free capital became scarce, and the public took alarm and began to hoard their capital in the form of banking credits, instead of bidding with it for securities. In the mean time, the scarcity of free capital in the market enabled the banks, which held the money of the public, to exact five and six per cent. upon short-term loans upon notes drawn by those railways which needed the capital to complete necessary improvements. Then came the reaction,—the continued piling up of saved capital by owners too timid to invest it,—until confidence returned in the summer of 1904, and principal stocks advanced more than 20 points within a few weeks.

Under the modern organization of capital, the elastic element in the problem, and therefore the most sensitive, is furnished by the stock-market and the interest rates charged by banks for stock-exchange loans. If stock-exchange loans did not exist, so that banking credits consisted wholly of commercial loans, commercial credit would go through the same tendency to overexpansion as sometimes stimulates credit granted for stock-exchange loans, and would be brought to a sudden halt when it became necessary to replenish reserves and restrict loans. In so far, therefore, as influences which affect stock-exchange prices are ephemeral, the stock-market protects the market for commercial credit against excessive and unnecessary fluctuations. In so far, however, as they reflect a persistent economic tendency, the market for commercial credit and the prices for goods finally follow these influences, but mitigated and attenuated by the transmission of the shock through the markets for stock-exchange loans and for securities.

If the modern organization of industry included only gold and goods, without stock-exchange securities, then overproduction of goods or the unnecessary multiplication of mills and railways would be reflected promptly in the prices of the goods. If gold reserves became reduced unduly, so that it became necessary to obtain foreign gold, it could be obtained only by the method pointed out by the classical theory of the exchanges,—by reducing the prices of goods. Certain goods most sensitive in price to the foreign demand would have to be exported at a sacrifice, in order to redress the balance of credit to a basis of solvency. This happens under existing conditions if there has been a real overproduction of goods of certain classes or an undue multiplication of the means for creating them. Exports of these classes of goods are increased by reducing their price. This increases the foreign credit balances of bankers, and permits them to obtain gold to restore their impaired reserves.

Through the insurance afforded by the mechanism of the exchanges the process is more gradual and less destructive to dealers in goods than if they themselves had to bear the entire burden of the change in the relations of demand and supply for free capital. Where the rate for money on stock-exchange loans may, under existing conditions, change within a short interval from one per cent. to six per cent., while commercial loans remain substantially unchanged, the merchant would have to face radical changes in the rate for commercial loans and would see the profits upon his products affected in a corresponding ratio. Under present conditions, the sale of securities at a sacrifice in a foreign market tends to restore the equilibrium of credit, where in the absence of securities sacrifice of goods would be required to restore this equilibrium. The burden of risk is thus shifted in large degree from the manufacturer and merchant, who cannot devote their entire time to studying the market for securities and foreign exchange, to brokers and speculators, who are willing to make a profession of studying such risks.

How the interplay of these varied forces determines the movement of surplus capital is the key to the theory of the stock-market and its reason for being. If investments in a given direction are proving unprofitable, they cease to be attractive. New enterprises of a similar character are not inaugurated, because their stocks and bonds cannot be sold. New enterprises of a more

profitable character, on the other hand, find a market for their securities as soon as they have convinced the public that they meet a public need. Through this mechanism of the stock exchange, therefore, is placed in the hands of the public the determination of the direction in which new capital shall be applied. Inevitably, this determination is not arbitrary. It follows the lines of the greatest profit upon capital. In so doing it follows the lines of the greatest utility of capital to the community. The enterprises which meet wide public demands, whether these are ethically high or not, are those which attract capital because they pay the highest return. Their securities rise in the stock-market. The securities of enterprises which do not meet a public need either find no market from the beginning or decline in price as their lack of earning power becomes apparent.

The speculator who applies intelligence and foresight to the study of market conditions, and is not merely a gambler on chances, aids the community in determining the direction in which capital may be applied with the greatest economy. In a broad sense commercial operations justify the analysis made by Professor Flux:*

"It may be acknowledged that every producer for a future market—that is to say, practically every producer—is to some extent a speculator. He anticipates what will be wanted, at what prices, and in what quantities, and sets to work to provide a supply in accordance with those anticipations. If his anticipations turn out to have been sound, he profits; if otherwise, he loses. The adjustment of the different parts of the productive forces of the society to the satisfaction of its various needs, depends in very great degree on the correct formation of these anticipations."

It is thus through the mechanism of the exchanges that the true relations of supply and demand are revealed to producers. On the produce exchanges and stock-markets are reflected, by fractional fluctuations in prices, the slightest changes in supply and demand, and the reaction of these causes upon one commodity in producing changes in the demand and supply of other commodities. As money permits the measurement of one article against another by price, enabling the relative cost of production and utility of any two or more articles to be accurately compared

* "Economic Principles," p. 158.

according to a common standard, so the stock-market permits the reduction of all these price comparisons to a common unit of measurement for the operations of stock companies.

The stock-market affords the most sensitive barometer of the operation of the scientific laws of value. On this market are decided the contests between buyers and sellers, which result in the settlement of the price of any particular security at just the point of its marginal value in relation to other securities. The level of prices established represents, upon the whole, all the known facts regarding the value and earning power of any enterprise represented by securities and the average judgment of competent persons regarding its future value and earning power. As the fall in the price of commodities below cost of production is a warning to their producer to diminish his output, so a similar fall in the price of securities of a given class is a warning to their holders that their capital has been unwisely applied, and is a warning to the investing community that future investments of capital should be made in other directions. The stock-market, therefore, affords a daily and sensitive test of the usefulness of enterprises to the industrial community. Under its operation, useless production which might otherwise be continued in ignorance is arrested, and capital is diverted from paths which afford less utility to those which afford the highest utility. "It has been seen," says Professor Pareto, "that bargaining was an operation by means of which the market resolved in practice the equations of production; speculation is an operation by which it is sought to reach in the promptest possible way the solution of these equations."

CHARLES A. CONANT.

THE MERCHANT MARINE INVESTIGATION.

BY JAMES W. GARNER, ASSISTANT PROFESSOR OF POLITICAL SCIENCE IN THE UNIVERSITY OF ILLINOIS.

I.

THE MERCHANT MARINE COMMISSION.

THE decline of the American merchant marine from a position of maritime supremacy to a position of comparative insignificance is one of the commonplaces of American economic history. It is encouraging to note that at no time since the disappearance of the flag from the high seas, however, has there been more general demand for the revival of the merchant marine than at present. At the last session of Congress, no less than three measures were enacted in the interest of American shipping. One of these requires all supplies for the use of the army and the navy to be carried in American vessels; another extends the application of the coasting-trade laws to all trade between the United States and the Philippines; the third created a commission to consider and recommend legislation for the development of the merchant marine and the amelioration of the condition of those engaged in the seafaring trades.

The law creating the Merchant Marine Commission provided that it should consist of five members of the Senate and five Representatives, to be appointed by the presiding officers of each House, respectively, and that at least four of the ten members should belong to the minority party. Twenty thousand dollars were appropriated to defray the necessary expenses of conducting the inquiry. In spite of the large minority representation allowed on the Commission, and notwithstanding the fact that the purpose of the law was simply to procure information for the intelligent guidance of Congress, the bill encountered fierce opposition and was passed by a narrow majority, after the rejection of an

amendment intended to prohibit the Commission from making any recommendation which should contemplate the granting of subsidies or bounties. The Commission as constituted consisted of Senators Gallinger of New Hampshire, chairman, Lodge of Massachusetts, Penrose of Pennsylvania, Mallory of Florida, and Martin of Virginia; and Representatives Grosvenor of Ohio, Minor of Wisconsin, Humphrey of Washington, Spight of Mississippi, and McDermott of New Jersey. Beginning on May 22nd, the Commission conducted hearings at New York, Philadelphia, Baltimore and Boston on the Atlantic coast; at Chicago, Detroit, Cleveland and Milwaukee on the Great Lakes; at San Francisco, Seattle and Tacoma on the Pacific coast; and at Washington, Galveston, New Orleans, Pensacola, Brunswick, and Newport News in the South. Altogether, about three hundred persons appeared before the Commission, and either gave oral testimony or submitted written statements. No reflection on the character of the investigation is intended when it is said that nine-tenths of those who appeared before the Commission were advocates of government aid in some form or other. Presidents and agents of ship-building and marine transportation companies; representatives of boards of trade, maritime associations and commercial bodies; importers and exporters, manufacturers, navigation experts and representatives of various maritime trade-unions—constituted the great bulk of the witnesses, and they all had the same story to tell of the disappearance of the American flag from the high seas, of the decadence of the ship-building and shipping industries, and of the unattractiveness of seafaring life under present conditions. In the present article an attempt will be made to describe the present status of the merchant marine, the schemes suggested for its rehabilitation and the arguments advanced in favor of government subsidies by those who testified before the Commission.

II.

PRESENT STATUS OF THE MERCHANT MARINE.

According to the last report of the Commissioner of Navigation, about nine per cent. of the imports and exports of the United States are now being carried in vessels flying the American flag, and a few years ago the proportion was even lower. In 1826, the amount carried was ninety-two per cent. The volume of foreign

tonnage carried in American bottoms to-day is actually smaller than it was half a century ago. The decline began about 1828, mainly as a result of the abandonment by the United States of the policy of discriminating tariff duties and tonnage dues; it was accelerated by the Civil War, which caused a falling off of about one-half; while various economic causes since the war have contributed still further to reduce the carrying-trade to its present insignificant proportions. In 1903, of 423 steamships sailing out of the harbor of New York for foreign ports only twenty-eight, or about seven per cent., carried the American flag. Two hundred and sixty-five sailed for European ports, only six of which were built in American yards. Seventy-one were bound for ports in Cuba, the West Indies and Mexico, but only a paltry twenty-two were of American registry, notwithstanding the fact that the carrying-trade of these countries should naturally belong to the United States by reason of their geographical proximity. No vessel carrying the American flag cleared for an Asiatic, an African or a South-American port. The record of other large port cities of the United States is equally discouraging. Last year, of 50,000,000 bushels of grain exported from the port of Baltimore, not over 10,000 bushels were carried in American bottoms. In the year 1901, of ninety-two cargoes of wheat exported from Tacoma, only two small cargoes of 10,000 bushels were carried in American vessels. The bulk of it was carried by British, German, Norwegian, Russian and Italian ships. Illustrations of this character, showing the comparative insignificance of the American carrying-trade might be multiplied indefinitely. The Hon. John Barrett, Minister of the United States to Panama, testified before the Merchant Marine Commission at Chicago (Hearings, vol. II., p. 682) that, in the course of a recent journey around the world, he travelled 75,000 miles, including side trips, without seeing a single large American merchant vessel engaged in interocean traffic, although he saw in every port visited the flags of England and Germany, and in many of them the flag of Japan.

With the decline of the carrying-trade has gone the decay of the ship-building industries. Nearly every ship-builder who appeared before the Merchant Marine Commission stated that, if it were not for the Government work he was doing, his yards would be practically idle. Cramp's, the largest ship-building concern in

the United States, which ordinarily employs 8,000 men regularly, was reported in July, 1904, to be running with only about 2,000 men. The president of the New York Ship-building Company of Camden, New Jersey, stated that his yards were running with a greatly reduced force, and he asserted that, unless new work could be found at an early date, it would be necessary to discharge all his men. Mr. Sewall, of the firm of Arthur Sewall and Company, Bath, Maine, one of the oldest and at the present time the largest concern in the country for the construction of sailing vessels, declared that his plant was the only survivor of a long line of ship-building establishments which had made the city of Bath famous for a hundred and fifty years, and, what was worse still, his yards had been practically closed down for more than a year for lack of orders. Substantially the same story was told by the representatives of various other ship-building concerns: shipyards practically idle for want of work, others actually closed down, others in the hands of receivers, still others kept open mainly because of Government work, which, according to the testimony of Rear-Admiral Bowles, none of them could honestly be doing for the price paid. None of them is building ships for the foreign market; indeed, since 1901 not a single keel has been laid in an American shipyard for a steel sea-going vessel.

III.

REASONS ALLEGED FOR EXISTING CONDITIONS.

As to the causes which are responsible for existing conditions, there was a substantial concurrence of opinion among those who testified before the Commission. In the first place, it was shown beyond question that it costs more to build ships in American yards than it does abroad. This is due to two causes, namely, the high price of ship-building material in this country, and the high wages paid for labor. As a result of the operation of the protective tariff, the American ship-builder at the present time is compelled to pay from $35 to $40 per ton for steel plates which cost the English builder on the Clyde but $27 per ton. It is true that, under existing laws, the American builder is allowed to import free of duty steel intended for use in the construction of ships for the foreign trade; but, on account of the practical difficulties involved, it has not generally been found expedient to take advan-

tage of the privilege, and, consequently, American builders have preferred to use the higher-priced American steel. Where imported steel is used there is always the danger of delay, which in the case of some contracts may be fatal; there is also the possibility that the plates may be bent and distorted in transit; and, more important still, no ship constructed wholly or in part of foreign material can be used in the coasting-trade. Now, it frequently happens that, in dull seasons when foreign trade is light and freights low, it is desirable to transfer vessels temporarily from the foreign service to the coastwise-trade until conditions have improved. Consequently, the demand for vessels which cannot be so transferred upon emergency is considerably lessened. The testimony of the ship-builders was unanimous, that the cost of materials ranges from forty to fifty per cent. higher in America than in Europe. Mr. C. H. Cramp testified that in the construction of a 12,000-ton ship the American handicap under this head alone was not less than $150,000.

Likewise, the cost of labor in American shipyards is from thirty to sixty per cent. higher than on the Clyde or in the Scandinavian yards. Some of the ship-builders who testified even asserted that the difference was as much as eighty per cent., or even one hundred per cent., in some cases, while none of them put it below twenty-five per cent. Many instances were cited in proof of these statements. Thus, at the Union Iron Works of San Francisco, machinists receive an average of $19.38 per week; the average pay of machinists in twelve British yards is $9.69 per week. The weekly pay of boiler-makers in the two countries is $19.74 and $9.36, respectively; and of ship-carpenters $22.14 and $9.88, respectively. The following table of comparative wages of crews for a 4,000-ton tramp steamer in 1898 was put in evidence:

	English.	American.
Captain	$100	$200
Mate	60	90
Second mate	40	75
Third mate	30	60
Chief engineer	80	150
Second engineer	60	90
Third engineer	40	75
Total	$410	$740

The extent of this handicap is more easily appreciated when it is remembered that the cost of labor amounts to from fifty-five

to seventy-five per cent. of the total cost of construction, according to the type of the ship. Of course, the increased cost of labor in American shipyards is to some extent offset by the superior skill of the American workman and the larger output of his labor, although this was denied by Mr. Cramp and other builders.

Taking the cost of material and labor together, it appears from the testimony that the total expense of construction in American yards is from thirty to fifty per cent. higher than in foreign yards. One well-known ship-owner, who asked for tenders for the construction of a 7,000-ton tramp steamer, stated that the best offer made by an American builder was more than twice as high as the best British offer. An owner of steamships on the Pacific Ocean asked for tenders for the construction of a foreign steamer. The best American offer was $380,000, whereas a shipbuilder on the Clyde took the contract for $200,000 with thanks. Many other instances of this character are to be found in the several volumes of testimony taken by the Merchant Marine Commission.

Finally, the foreign builder possesses an advantage over the American builder in the fact that his business is "standardized." The demand in Europe for ships is so large that it has been found possible to restrict the work of a single yard to the construction of ships of a particular type, thus effecting a gain in both time and skill. One yard builds large cargo steamers; another, high-speed vessels; another, torpedo vessels; another, small craft; and so on. In the United States, the volume of business has not been large enough to permit of this specialization, and, as a consequence, it is not an uncommon spectacle to see in one yard a battle-ship, a cruiser, a light-ship, a tramp steamer and maybe a dredge or a ferryboat all under construction at one time.

The position of the American ship-owner, if we may believe the testimony, is but little if any better than that of the ship-builder. In order to secure American registry, he must buy his ships from the American yard and pay the high price which the American builder is compelled to charge. Even if it were otherwise and he were allowed to buy in the foreign market and operate under American registry, he would still be unable to compete successfully with the foreign carrier for two reasons: first, because it costs more to man and victual a ship under the American flag than it does under any other, and, second, the foreign carrier is

frequently aided by a subsidy or other grant from his government. The testimony of the shipping interests was practically unanimous that the extra cost of operation was not less than thirty-three and one-third per cent., while some asserted that it was much more. Thus, whereas the average pay of sailors under foreign flags ranges from $16 to $20 per month, it is from $25 to $35 under the American flag. To give a few illustrations: The master of the American steamship "Pleiades" receives $200 per month, while the corresponding officer on the British steamer "Masconomo" receives $121 50. Taking the average pay of the entire crews of the American liner "St. Louis" and the "Kaiser Wilhelm der Grosse," we find it to be $29 75 per month in the case of the American vessel and $15 43 in the case of the German steamer. Other illustrations, almost without limit, could be cited.

It is a singular fact that foreign sailors refuse to serve under the American flag except at American wages, although the accommodations on American vessels are acknowledged to be superior to those of foreign ships. A Swedish or Norwegian sailor will ship under his own flag for $14 or $15 per month, but he demands $25 or $30 for service on an American vessel. One of the ship-owners who testified before the Commission stated that he once operated a Norwegian and an American vessel on the same line, both vessels sailing from the same port and being engaged in exactly the same service. Ascertaining that the crew of the Norwegian vessel was receiving only about half the wages of the American crew, he determined to try to ship a crew for the American vessel at the Norwegian scale of wages; but he found that the sailors positively and unhesitatingly declined to serve on the American vessel for less than the American scale of wages. Another ship-owner who operated in the same line vessels under both British and American flags had a similar experience.

The cost of operating vessels under the American flag is further increased by the requirement of the law that all officers above the rank of "watch" shall be American citizens, that only licensed mates shall be employed and that no payment of advance wages shall be allowed. Vessels under foreign registry are allowed to pick up crews wherever they may be found, without restriction as to allegiance or qualification; and, by paying a month's wages in advance it is possible to secure them at less wages than the American carrier has to pay. Nevertheless it is

still cheaper to employ foreign crews, and so far as the law permits this is frequently done despite its alleged un-Americanism.

Other ship-owners have preferred to forego the advantages of American registry and have transferred their vessels to foreign flags, in order to find relief from the illiberal navigation laws of the United States, and more especially to be able to secure crews at the foreign rate of wages. This was the case, for example, with the American Steamship Company, whose vessels were built in American yards and operated under the American flag, "until driven therefrom," says its president, "by the overpowering competition of foreign built and manned vessels."

Finally, if the cost of construction and operation were equalized, either by legislation or change of economic conditions, the American carrier would still be at a disadvantage, on account of the substantial aid which his foreign competitor receives in the form of subsidies or bounties. The governments of at least six competing nations aid their merchant marine by the grant of subsidies in one form or another. As far as can be ascertained, the amount is distributed annually about as follows: Great Britain, $6,000,000; France, $8,000,000; Germany, $2,000,000; Italy, $2,800,000; Austria-Hungary, $1,700,000; Japan, $3,492,000. In competition with ships thus constructed out of low-priced material and constructed and operated with cheap labor, and which are, in addition, the recipients of government subsidies, American vessels have, of course, made a poor showing. This is well illustrated by the course of the Trans-Pacific trade, which a few years ago was carried mainly in American bottoms. Then came a fleet of subsidized British, French and Japanese ships into the Pacific Ocean; the freight rates on wheat, and other products, were cut to a point below the cost of operating American vessels, and the latter were consequently driven from the field. In the same way British, Swedish and Norwegian vessels have secured the carrying trade in sugar and fruit between the United States and the West Indies.

IV.

REMEDIES SUGGESTED.

The testimony of the shipping interests was practically unanimous that the only effective means of restoring the merchant

marine was some kind of legislation which would bring about an equalization of the cost of construction and operation and, in addition, counteract the effect of the foreign subsidies. There was, however, a wide diversity of opinion as to what form such legislation should take. The more important schemes suggested were the following: removal of the tariff on all ship-building material; the admission of foreign ships to American registry ("free ships"); discriminating tariff duties and tonnage dues; and direct aid from the Treasury in the form of subsidies or bounties. It is purposed to explain briefly these several schemes in the order mentioned.

1. *Free ship-building material.* Under the existing tariff law, steel is shipped to England and sold there at $10 or $12 per ton less than the price for which it can be bought in the United States. It is true, however, as already stated, that a rebate is allowed on steel imported for use in the construction of ships for the foreign service; but, on account of practical difficulties, ship-builders have not generally found it expedient to avail themselves of the privilege. It is claimed by some builders that, if steel for ship-building purposes were placed on the free list, there would be a decided reduction in the cost of domestic steel, thus making it possible for the American builder to construct ships at less cost both for the coasting trade and the foreign service. The most ardent advocate of this scheme was Mr. Lewis Nixon, president of the New York Ship-building Company. Admiral Bowles, president of the Fore River Steamship Company, however, did not attach much importance to it, and asserted that the advantage to be derived would be inconsiderable, although it might, he said, lead to a more general use of steel ships in the coasting trade. And this was the general opinion of those who expressed themselves on the subject.

2. *"Free Ships."* According to this scheme, the American carrier is to be allowed to purchase ships in the foreign market and operate them in the foreign trade under American registry, leaving to American yards the monopoly of constructing ships for the coasting trade. Of course, there is nothing in the law at present to prevent citizens of the United States from purchasing ships in the foreign market and operating them in the foreign trade, provided such vessels are sailed under a foreign flag; and, as the cost of operation is less under the foreign flag, some have done so.

Several serious objections were urged against the "free ship" policy. In the first place, it was the overwhelming testimony of the ship-builders that the admission of foreign-built ships to American registry would result in the ruin of American yards. The American carrier would buy abroad in the cheapest markets, leaving to the home builder only the construction of vessels for the coasting trade. The only possible benefit that he could derive from such a policy would be an increase in the amount of dry-docking and repairing which might come to his yard in consequence of the enlargement of the merchant marine. At present, most of the foreign-built ships owned by Americans are docked and repaired in their home ports, where the cost is lower; but, if admitted to American registry, this work might be required to be done in American yards. The second objection urged against the "free ship" scheme was that it is insufficient in itself to restore the merchant marine. With cheap ships the American carrier would still be handicapped, as compared with his foreign competitor, by the extra cost of operation and the effect of the foreign subsidy. Even if it were otherwise, the merchant fleet thus created would consist of American ships only in name and registration. Its only value would be the encouragement which it might give to the "ship-owning habit." Nevertheless, several large ship-owners—notably, Mr. James J. Hill and Mr. F. W. Taylor—were of the opinion that the "free ship" policy would be effective, although Mr. Hill doubted the wisdom of such a policy and preferred another plan, while Mr. Taylor coupled his statement with certain conditions.

3. *Discriminating import duties and tonnage dues.* According to this plan, it is proposed to levy a discriminating tariff on all goods imported into the United States in foreign vessels, or a discriminating tonnage duty on such vessels, or both. It is a proposition to return to the policy followed by the United States before 1828, when nine-tenths of the foreign trade of the United States was carried in American vessels. The ship-builders and ship-owners were at one in the opinion that it would be the means of transferring the bulk of the carrying trade to American vessels; but a good many opposed it on account of the practical difficulties likely to arise in carrying out the scheme. To begin with, the United States under the act of 1828 has entered into maritime reciprocity treaties with some thirty-odd countries, whereby it has re-

nounced the right to lay discriminating duties on goods imported in the ships of such countries. True, the government has the right to denounce these treaties and to terminate them upon one or two years' notice, but there is a strong belief that abrogation by the United States at this time would lead to retaliations, possibly to international complications and a general unsettling of our commercial relations. Apart from these possible dangers, there is the practical difficulty of equitable apportionment. Such a form of aid operates very unequally upon different ships, since it does not take into consideration the length of the voyage or the nature of the cargo. The rebate on a cargo of tobacco from Cuba would be the same as on one from the Orient. The amount on a cargo of cement, as compared with one of silk, would be insignificant. Moreover, forty-four per cent. of the goods imported into the United States are non-dutiable. American vessels bringing such cargoes would have no advantage over their foreign competitors. It would be necessary, therefore, to abolish the free list, and impose a duty on all goods imported in foreign vessels. But, as the bulk of the imports now on the free list are raw materials, the proposition to tax them for the benefit of the merchant marine would be certain to encounter strong opposition. A modification of this plan, which has found much favor with the maritime classes, provides for the application of the discriminating feature to the indirect carrying-trade only. That is to say, it would apply only to goods imported in foreign vessels from countries other than those whose flags they carry. This plan would be less open to international objection, and would probably transfer to American vessels practically all the carrying-trade between the United States and those countries that have no shipping of their own—such as the West Indies, the Latin-American States and some of the Oriental countries. Evasion of the law upon the part of foreign carriers by the transfer of flags could easily be provided against. Among the ship-builders who urged the policy of discrimination as regards foreign vessels engaged in the indirect trade, was Mr. Charles H. Cramp, who thought it would be one of the best means of reviving the merchant marine—better, in fact, than direct subsidies, since it would excite less popular hostility, and would therefore be more likely to be retained permanently. The scheme has also been advocated by a number of the Republican leaders in the Senate; it received the endorsement of

fourteen Republican State Conventions in 1896 and of the Republican National Convention of the same year, and it was favored by Mr. McKinley in his first letter of acceptance. It seems, therefore, to be the most generally approved plan which has been suggested.

4. *Direct Subsidies or Bounties.* The advocates of this plan propose to restore the merchant marine by means of direct grants, in some form, from the national Treasury. It is, of course, in great favor with the ship-builders and ship-owners. For the protection of the ship-builders they would give a construction bounty on ships built in American yards and intended for the foreign trade only. For the protection of the ship-owner and operator, a subsidy equal at least to the difference between the cost of operation under the American and foreign flags is proposed. Others would allow no bounty directly to the builder, but would pay the entire amount to the ship-owner. The Maritime Association of New York urged the extension of the postal subsidy act of 1891, the rate of compensation thereunder to be determined on the basis of gross registered tonnage, speed, design of construction and mileage sailed. In addition, it proposed a general tonnage and mileage subsidy to owners of freight-vessels engaged in the foreign trade. This was essentially the plan embodied in the Hanna-Payne and Frye bills, and is the one most strongly advocated by the ship-building interests. Mr. James J. Hill, of the Great Northern Steamship Company, was apparently the only ship-owner of note who thought that subsidies were wrong in principle and a species of favoritism. Moreover, he was of the opinion that, unless the amount of the subsidy was very large, and unless there was assurance of permanency, it would be unavailing. Mr. Hill's own plan was a bounty on exports shipped in American vessels or an export tonnage duty, neither of which, it would seem, differs in principle from the other form of subsidy which he regarded as so objectionable. The export bounty was also urged by the presidents of the Downey-Townsend and the New York Ship-building Companies, the latter insisting that the bounty should be allowed wherever a voyage was made, even though the ship carried no cargo on its outward trip, and irrespective of whether it was a sailing or a steam vessel.

The report of the majority of the Commission presented to Congress on January 5th recommended a combination of several of the

above-mentioned schemes, namely: an operating "subvention" of $5 per ton annually, an extension of the postal subsidy act of 1891 so as to apply to the carrying of the mails to the Latin-American countries and the Orient, and a tonnage tax on foreign vessels entering the ports of the United States. The amount of the subsidy as estimated by the Commission is not to exceed three million dollars for the first year, and a considerable portion of this is to be devoted to the payment of naval volunteers and apprentices. The minority members of the Commission made a separate report recommending discriminating import duties and a reduction of the tariff on ship-building materials which, it declared, was the greatest impediment to the shipping interests of the country.

VI.

ARGUMENTS FOR GOVERNMENT AID.

The main arguments presented to the Commission in support of legislation for the revival of the merchant marine may be grouped under three heads. To begin with, it is asserted that the transportation of American imports and exports in American bottoms would mean an annual saving of about $200,000,000 now paid to the owners and operators of ships flying foreign flags. Most of this amount goes abroad, and thus constitutes a large drain on the resources of the country, whereas it might as well be kept at home and turned into the pockets of American ship-builders, ship-owners and seamen. In the next place, it is contended that the rehabilitation of the merchant marine would be the means of extending American trade, through the opening of new channels of commerce and the discovery of new markets. A large merchant marine will mean greater competition and, hence, lower transportation rates. It will mean the establishment of new lines of steamers between the United States and parts of the world where the American flag is now rarely seen. To take a single illustration, our exports to South America are only about one-third of our imports, a condition mainly attributable to the lack of first-class steamship lines between the United States and those countries. There is not a single first-class line of American steamers between the United States and Buenos Ayres, although there are half a dozen lines between that port and European ports. The result is that the bulk of the imports of lower South America

come from Europe and not from the United States. Lastly, and this is the most important argument of the subsidy advocate, the national defence requires the rehabilitation of the merchant marine. However powerful the navy may be in point of battleships, it is useless without colliers, transports, scouts, despatch vessels, etc. Is it not poor economy, the subsidy advocates ask, for the Government to build these auxiliary vessels and maintain them in idleness when, by suitable encouragement, private capital may be induced to build them under conditions which will make them easily convertible into war-vessels at slight expense, and available for the use of the Government upon the outbreak of war? If they are neither constructed by the Government for the use of the navy, nor liable to impressment from the merchant marine, the Government will be compelled to depend upon purchases in the foreign market. The impolicy of this was shown at the outbreak of the war with Spain in 1898. The Government was compelled to hunt the seas for transports and colliers, and, after considerable anxiety and delay, it succeeded in purchasing or chartering some forty ships from foreign nations. The American vessels liable to impressment under the mail subsidy act were taken over by the navy without delay, but the number was inconsiderable. One line, which is a beneficiary of the mail subsidy to the extent of $200,000 per year, furnished the government with nine vessels and 500 seamen.

Besides furnishing the navy with auxiliary vessels, the merchant marine serves as a nursery of seamen. Whether built at home or purchased abroad upon emergency, war-vessels must be manned by experienced and trained seamen. Unlike volunteers for the army, they cannot be drawn from the farm, the shop or the mine by proclamation. The weakness of the United States in this respect is well known. More than half of the seamen who sail under the American flag are foreigners, and only about sixty per cent. of those who owe allegiance to the flag are native-born.

To recapitulate, then, the grounds relied upon by the advocates of subsidies are the extension of American commerce, the saving of freights on the foreign trade, an enlargement of the opportunities for American capital and labor and the security of the national defence. Largely as a result of the protective tariff system, this country leads all others in manufacturing and in the quantity and value of its exports; while, mainly through neglect or

unwise legislation, it stands near the foot of maritime nations. It is time to inquire whether the party of protection is not guilty of gross inconsistency when it maintains the protective system as regards manufacturing, but permits free trade in navigation; when it protects the American factory-owner, but denies the same protection to the American shipyard by permitting the foreign ship to compete on equal terms with the American vessel in the transportation of American products; and when it makes it possible for the American steel trust to furnish the English ship-builder with ship-building material at one-third less than the price the American has to pay. It now seems clear that Americans can no longer build and operate ships profitably, under the existing laws, in competition with foreigners. It lies within the power of Congress to change these conditions to a large extent. The relief need not be in the form of subsidies or bounties. The removal of the tariff on ship-building material, the abolition of the restrictions with regard to the employment of seamen, possibly the freedom of purchase in foreign yards, certainly discriminating duties or tonnage dues, are some of the remedies short of direct grants from the Treasury. The subsidy scheme is too objectionable—in the popular mind, at any rate—to make its adoption a permanent feature of American policy; and, besides, there are practical difficulties in the way of its equitable administration. The hearings of the Merchant Marine Commission show that there are still some who question the constitutionality of such legislation. In these days, however, when at one session Congress votes half a million dollars to exterminate an insect in one of the States, and sets aside $750,000,000 for the irrigation of arid lands in certain other States, and at another makes an outright gift of $5,000,000 to an Exposition Company; when it votes $60,000,000 at one session to improve rivers and harbors; and when it grants bounties on the production of sugar and on the taking of fish, it is hardly likely that its right to appropriate money for the upbuilding of the merchant marine, with a view to extending American commerce and securing the national defence, will be seriously questioned on constitutional grounds.

JAMES W. GARNER.

LANCELOT, GUINEVERE AND ARTHUR.

BY JULIA MAGRUDER.

A RECENT writer, in contemptuous vein, has said: "To some men and to all women, the marriage ceremony is marriage."

And, surely, this contempt is justified; for what reasoning human being could hold or defend such a definition of marriage? Yet, in a recent re-reading of the "Idylls of the King," the writer has been forced to the admission that our most Christian poet, Tennyson, accepted the definition of marriage here ascribed to the weaker sex and the weaker members of the stronger sex!

When we stop to think of it, or, rather, *if* we stop to think of it, which few do, it immediately becomes clear that the marriage ceremony is only a small part of the bond—the mere outward and visible sign of an inward and spiritual state. Like the coronation of a king, it only declares to the world a fact which already exists. If the man were not a king already, the putting on of the crown could not make him one. So, also, if the bond and agreement between a man and woman have not constituted a marriage, the ceremony—be it civil or religious—is powerless to do so, in any sense beyond the legal form, designed to operate for the good of the state, in the legitimizing of children and the inheritance of property.

Every reasonable being must concur in this estimate of marriage and repudiate any other. Yet Tennyson, in the two Idylls, "Lancelot and Elaine" and "Guinevere," has drawn a picture which, if it means anything in the way of ethical teaching, means that, in marriage, the letter is everything—the spirit nothing; that the form is the essential part, and the sentiment the non-essential.

No one could deny to Tennyson the possession of mental integrity; but, in this instance, has it not played him a trick? No

one doubts that, when he wrote so eloquently the story of the three beings, through whom came both the glory and the downfall of that high exposition of chivalry and Christian graces known as "The Round Table," he was unconscious of any disloyalty to truth's standard. We, therefore, willingly concede the point that Tennyson was honest, in his day and generation.

But in the years that have elapsed since these Idylls were written, the world has moved onward; and, although we cannot say that it has been always in the direction of spiritual progress, what we do maintain is that an honest prose statement of the character and conduct of the three individuals referred to, leads to the conclusion that, had Tennyson written these famous poems in even the first years of the twentieth century, that quality of integrity of mind of which we have spoken must have constrained him to a different presentation of the narrative of the lives of Lancelot, Guinevere and Arthur—a presentation such as the more intelligent part of the reading public of to-day might find rational and acceptable.

In considering the passages which describe the meetings of Lancelot and Guinevere, and of Arthur and Guinevere, and the consequences which resulted therefrom, one is constrained to wonder how the poet's conclusions, drawn from these premises, have passed unchallenged so long.

To this the only answer seems to be that Tennyson, although he wrote, it may be, for all times, wrote according to the influences of the time in which he lived.

Would any creditable writer of to-day venture, in common, up-to-date prose, to hold up the circumstances and conduct of these two men and this woman for such an allotment of praise and blame as was meted out to each by Tennyson?

Let us state the case in its simplest terms: Here we have three people—Arthur, the perfect King, conceded to be without spot or blemish or any such thing, holding up to his Knights, by precept and example, the highest possible standard of living; Guinevere, young, beautiful, innocent, made for the love and worship of men; and Lancelot, bravest, most powerful, and also most courteous and gentle of Knights.

Guinevere, having been "given in marriage" to Arthur, whom she had never seen, has no other thought in her mind but to be a true and loving wife to him. Lancelot, the King's emissary, to

bring his bride to him, has no thought but loyal obedience to the service of his liege lord, and loyal honor and respect to the lady henceforth to be his Queen. Before the royal pair have even met, Guinevere has felt within her the stirrings of the strong primitive attraction which reveals love to her in such an aspect as she had not hitherto conceived of. Lancelot, older and less unconscious, feels the same stirrings of his heart toward Guinevere, and sees in her the one woman. For there is nothing to contradict—indeed, there is everything to support—the idea that the love of Guinevere for Lancelot and the love of Lancelot for Guinevere were, both ideally and actually, the supreme loves, of both their lives. Between them stands her obligation to Arthur, as her King and husband, and his obligation to Arthur as his liege lord and sovereign—obligations stronger in those days, even, than in these.

Guinevere, compelled by the exigencies of the situation, marries Arthur, with the image of Lancelot filling her mind, as the love for him fills her heart; and Lancelot looks on at the marriage, feeling his hitherto untainted loyalty to the King clouded by a forbidden jealousy.

Time passes. Lancelot, the "peerless Knight," the "flower of bravery," equally brave and tender, equally loving and daring, shows continually before the Queen such qualities of mind and graces of spirit, such deeds of prowess and of valor, as furnish a reasonable and honorable foundation for the sentiment already kindled in her heart. Add to this the fact that Arthur bored her —which is simply the prose translation of the following words:

> "That passionless perfection, my good lord"—
> "He is all fault who has no fault at all"—
> "A moral child, without the craft to rule;"

and consider also that her name was continually joined to that of Lancelot ("Lancelot, the flower of bravery, Guinevere, the pearl of beauty"), and any one who wonders that "the trouble grew and stirred" must be without the power of logical deduction.

So far—as, perhaps, all will agree—no harm was done. It was only the inevitable that had happened. "But"—the moralists will say—"it should have stopped there." Perhaps it should. We will not challenge that conclusion.

We turn now from the dual problem of Lancelot and Guinevere, to that of Arthur and Guinevere. To the former, she is bound by every tie of natural instinct, spiritual selection, intellectual judgment and a heart preoccupied by his image before she had so much as seen the King—the heart's affection based upon the mind's approval. Lancelot is *what* she likes, no less than *whom* she likes. She yields to him the supreme love of her heart, and knows that he has endowed her with a like great gift. So much for her bond to Lancelot.

To Arthur, there is but the legal bond—the shell from which the kernel has been given to another. Granting the value and obligation of this bond, must we concede it to be all, and the other nothing? This, unquestionably, is Tennyson's conclusion. The whole trend and teaching of these poems is to the effect that the legal bond—the marriage ceremony—constitutes marriage, and, further yet, marriage which holds good for the world to come as well as for this world, even though, as in the present case, the mind, the soul, the will, the affections, all turn the other way.

Arthur undoubtedly takes this position, but there again we may make large concessions to the influences of the times. Also—though with far less reason—we are willing to concede something, on the same lines, to Tennyson. But what we do not feel warranted in conceding is, that this ideal of marriage should hold with the men and women of to-day.

Much is said and written now upon the subject of divorce, and much there is to say, on the side of the state, against the man or woman who seeks to break the legal bond of marriage. Perhaps, of all these arguments, the strongest is that of necessity. The law *must* hold a man and woman together, for the reason that love will not. But for this fact—the impermanence of human affection—which every day confronts us, Love and not Law might be conceded to constitute the marriage bond. But stern necessity compels us to recognize the fact that this obligation too rarely holds to be established as a precedent. Therefore—in the present age of man, at least, we are compelled to respect the legal bond.

The legal bond, yes—but the mere legal bond, no!—and when Tennyson pushes it to the point of assuring, without doubt or hesitation, that this will be the one which will prevail in the eternal hereafter, even his beautiful poetry does not save the situation from an element of the ridiculous. Remember that

Arthur is speaking to a woman who, by his own admission, had never loved him ("I cannot touch thy lips, they are not mine but Lancelot's—nay, they never were the King's"), when, in taking his last farewell of Guinevere, he holds out to her this remote, but glorious, possibility:

> "Perchance and so thou purify thy soul,
> And so thou lean on our fair father, Christ,
> Hereafter, in that world where all are pure,
> We two may meet before high God, and thou
> Wilt spring to me, and claim me thine, and know
> I am thy husband—not a smaller soul—
> Nor Lancelot, nor another."

And what, we are led to ask, is the ground on which Arthur declares Lancelot to be a smaller soul than he? And what the ground on which Tennyson accepts, and would have us accept, this dictum? Does the mere fact of chastity overbalance and outweigh the proofs of the soul's greatness which Lancelot continually gives in his fealty to Guinevere? And, even so, what of the evidences of this same virtue given by Lancelot, in the following passage (but one of many proofs) which describes a scene between "Lancelot and the exquisite Elaine"?

> "Then suddenly and passionately she spoke,
> 'I have gone mad. I love you. Let me die!'
> 'Ah, sister,' answered Lancelot, 'what is this?'
> 'Your love,' she said, 'your love—to be your wife!'
> And Lancelot answered, 'Had I chosen to wed,
> I had been wedded earlier, sweet Elaine,
> But now there never will be wife of mine.'
> 'No, no,' she cried, 'I care not to be wife,
> But to be with you still, to see your face,
> To serve you and to follow you through the world.'"

Lancelot's firm denial to Elaine is only one more proof of his loyalty to the Queen and to his highest self—indeed, legal or illegal, it would be hard to find an example of a more unselfish, delicate and faithful lover. He was "love-loyal to the least wish of the Queen," even when she decreed that he should leave her. And even when he said: "I needs must break these bonds that so defame me," he added, instantly: "Not without she wills it."

The poem ends with the words:

> "So groaned Sir Lancelot, in remorseful pain,
> Not knowing he should die a holy man."

Tennyson's reasoning in all this—making Arthur a holy man, because, *per se,* he was a chaste one, and Lancelot an unholy man because he had not the chastity which consists in fidelity to the legal bond—seems to elevate the latter so far above the spirit that all sense of due proportion is lost. There is little doubt that the world needs teaching as to the responsibility of the marriage bond; but, when Tennyson delivers this lesson of eliminating from the question all consideration of the obligations of love, respect, affection, and the behests of mind and soul, he goes so far to the other extreme as to class himself with those who regard the marriage ceremony as marriage.

In conclusion, it seems not inappropriate to quote two verses, read somewhere in a magazine, years ago, and, for some reason, never forgotten:

> "Two ghastly shapes, in veils of mist,
> For longer years than both could tell,
> Bound by a stern gyve, wrist to wrist,
> Have roamed the ranks of Hell.
> "Their sad eyes know each other not,
> Their cold hearts hate the bond so drear:
> Yet one poor ghost was Lancelot,
> And one was Guinevere."

This poem would, no doubt, have been regarded by Tennyson as entirely serious and just; but, for the men and women of to-day, is not its chief effect to revive childish and shivery impressions of "the bad place and the bogey-man"?

JULIA MAGRUDER.

THE INTERNATIONAL ASPECT OF OUR TARIFF SITUATION.

BY N. I. STONE, TARIFF EXPERT IN THE BUREAU OF STATISTICS.

WITHOUT going into a discussion of the respective merits of high and low duties, we may state without fear of contradiction that the chief impulse to the present demand for tariff revision has come from that section of our business community, both manufacturers and merchants, who are interested in foreign trade. The speech delivered by the late President McKinley at the Pan-American Exhibition in Buffalo, which may be said to mark the formal opening of the campaign for tariff revision, emphasized this point. "What we produce beyond our domestic consumption," he said, "must have a vent abroad. The excess must be relieved through a foreign outlet, and we should sell everywhere we can and buy wherever the buying will enlarge our sales and productions, and thereby make a greater demand for home labor."

It is this state of affairs—namely, that our industry, as a result of the giant strides made by it in the last two decades of the nineteenth century, has reached the stage where the foreign market is a *necessary* part of its normal outlet—that constitutes the pivotal point of our present tariff situation. In shaping our tariff policy heretofore, the problem our statesmen had to solve was how to secure to our own manufacturers our great home market. The problem henceforward will be how to insure to American industry and commerce the greatest possible share of the world's markets, while surrendering as little as possible of the home market to foreign exploitation.

Hardly any one will question that the McKinley and Dingley tariffs helped the American manufacturing industry to reach the high degree of perfection with which it is credited by the consensus of opinion among the leading engineers of the world. It

will also be admitted by the advocates of lower duties, as well as by those of a high tariff, that by securing to the American manufacturer perfect immunity from foreign competition at home, as the two tariffs have done, they enabled him to reach out with success for a share of that very foreign trade for the sake of which our government is now asked to modify the tariff. Here we touch the very heart of the problem as it now confronts, not only the business interests, but the greater part of the American people.

I.

While we were busy putting up high walls around our national frontiers to keep out the foreign invader, the latter, for similar reasons, has been engaged in the same work at home; and the entire continent of Europe, with the exception of Holland, has been fenced off in the last fifteen years with higher walls than ever before separated the different nations of that continent in the history of modern trade. France, Germany, Russia, Italy, Switzerland, Spain and Portugal—each has introduced a high protective system, which has been raised higher and higher as one country tried to meet the repeated assaults of the other against one or other of her own industries.

In the course of that development, which has brought with it a new species of international conflict, the so-called "tariff-war," the commercial nations of the civilized world have worked out new or perfected old methods of regulating international trade. All of these methods are merely different adaptations of the best means available to a nation for protecting her economic interests against her neighbors.

As each nation succeeded in mastering the policy of tariff-protection, effects of its action were felt more and more by the rest. As a result, tariff matters have become conspicuous elements in diplomatic negotiations among nations. The once simple tariff, in the form in which we still have it, consisting of one set of duties levied on various articles of commerce, has, in most countries, given way to more complex forms, such as maximum and minimum tariffs, general and conventional tariffs, supplemented by such accessories as surtax, retaliatory duty, countervailing duty, etc.

So far, the United States has managed, on the whole, to hold aloof from the entangling meshes of those European innovations,

and holds on to its single protective tariff. As the time is fast approaching, however, or, rather, has already come, when the leading European nations, and, what is more to the point, *our chief customers,* are recasting their tariffs and revising their commercial treaties, it behooves us to review the situation, so that, in the light of conditions, and not theories, actually confronting us, we may be in a position to grasp, in all its bearings, the problem now facing this country.

II.

The two leading nations of the European continent, France and Germany, have each worked out a tariff system of its own, the object of which is to secure the maximum of concessions abroad to their export trade, with the minimum of admission of foreign competition in the home market. The French use a double, or maximum and minimum, tariff, while the Germans adopt a single tariff like ourselves, or, as they call it, a general tariff; and then, by separate treaties or "conventions" with different governments, they modify various schedules in their tariff in exchange for equivalent concessions to their own trade. The reduced rates thus granted constitute their so-called "conventional" tariff.

In the French system, most of the tariff schedules are supplied with two rates of duty, the difference between the two being all the way from about 15 to 75 per cent., and even more in a few cases. The higher or maximum rate is regarded as the general rate applicable to the importations of any country, in the absence of a special understanding to the contrary. The lower or minimum duty is granted to nations giving similar concessions in exchange.

We cannot, within the space of a magazine article, go into a detailed discussion of the relative merits of the two systems. Suffice it to say that each of the two nations mentioned finds special advantages in its own system, and each finds its imitators among the several European governments, which have adopted them with slight modifications.

The double tariffs now in force, both in France and Germany, were adopted in 1892,—that is, soon after the McKinley tariff went into effect. As we had only one tariff for all countries, and were not willing to make any special concessions, France applied her maximum tariff to our products, while in the case of Germany

we were granted the lowest duties accorded by her to any nation, since we enjoy the "most favored nation" treatment through our old treaty with the Kingdom of Prussia, concluded in 1828.

It is needless to add that, compelled, as we have been, to pay duties often as much as 75 per cent. higher than our competitors, we have not fared as well as we otherwise would in the French market. As France found her imitators among other European nations, this unpleasant fact was brought home to us with ever-increasing force.

The Europeans had at last turned our own weapons against us, and Congress found it necessary to make special provisions for reciprocity treaties in the Dingley bill, which at the same time imposed the highest rates of protective duties so far adopted by the United States. The provisions for reciprocity were twofold. One, embodied in Section 3 of the law, authorizes the President:

"to enter into negotiations with the governments of those countries exporting to the United States the above-mentioned articles, or any of them, with a view to the arrangement of commercial agreements in which reciprocal and equivalent concessions may be secured in favor of the products and manufactures of the United States; and whenever the government of any country, or colony, producing and exporting to the United States the above-mentioned articles, or any of them, shall enter into a commercial agreement with the United States, or make concessions in favor of the products, or manufactures thereof, which, in the judgment of the President, shall be reciprocal and equivalent, he shall be, and he is hereby, authorized and empowered to suspend, during the time of such agreement or concession, by proclamation to that effect, the imposition and collection of the duties mentioned in this Act, on such article or articles so exported to the United States from such country or colony, and thereupon and thereafter the duties levied, collected, and paid upon such article or articles shall be as follows. . . ."

The articles referred to, on which a reduction of duty was thus authorized, are crude tartar, brandies, champagne and other sparkling wines, still wines and vermuth, paintings and statuary.

This gave the President the power to grant, without requiring the consent of the Senate, specific reductions on a limited number of articles which we cannot produce in this country. The only matter left to his discretion was the amount of concessions to be obtained from the other side. Armed with this clause, President McKinley concluded trade agreements with France, Germany, Italy and Portugal.

Each of those countries was granted the full amount of reductions thus authorized by Congress. In return, France extended to us the benefits of her minimum tariff on a limited number of articles, including canned meats, lard, hams, fruits and lumber. In addition, she admitted at the minimum rate of duty our petroleum oil, without including that article, however, in the treaty. Italy granted us her minimum tariff on cottonseed-oil, fish, agricultural and electric machinery and scientific instruments, and she agreed to admit free of duty our turpentine, fertilizers, hides and fur-skins. Portugal granted us her lowest rates on wheat, corn, flour of all kinds except wheat flour, lard, mineral oils, pitch and tar, agricultural machinery, implements and tools. Germany, having granted us her entire set of minimum duties in 1892, received the concessions given to the other three countries.

We did not, however, extend to her the more liberal concessions which were authorized in Section 4 of the Dingley law, as follows:

"SEC. 4. That whenever the President of the United States, by and with the advice and consent of the Senate, with a view to secure reciprocal trade with foreign countries, shall, within the period of two years from and after the passage of this Act, enter into commercial treaty or treaties with any other country or countries concerning the admission into any such country or countries of the goods, wares, and merchandise of the United States and their use and disposition therein, deemed to be for the interests of the United States, and in such treaty or treaties, in consideration of the advantages accruing to the United States therefrom, shall provide for the reduction during a specified period, not exceeding five years, of the duties imposed by this Act, to the extent of not more than twenty *per centum* thereof, upon such goods, wares, or merchandise as may be designated therein of the country or countries with which such treaty or treaties shall be made as in this section provided for; or shall provide for the transfer during such period from the dutiable list of this Act to the free list thereof of such goods, wares, and merchandise, being the natural products of such foreign country or countries and not of the United States; or shall provide for the retention upon the free list of this Act during a specified period, not exceeding five years, of such goods, wares, and merchandise now included in said free list as may be designated therein; and when any such treaty shall have been duly ratified by the Senate and approved by Congress, and public proclamation made accordingly, then and thereafter the duties which shall be collected by the United States upon any of the designated goods, wares, and merchandise from the foreign country with which such treaty has been made shall, during the period provided for, be the duties specified and provided for in such treaty, and none other."

President McKinley, alive to the demands of our growing export trade, attempted to make full use of the above clause. But the treaties concluded by the Hon. John A. Kasson, the special commissioner appointed for the purpose, met with such effective opposition in the Senate that nothing further was done. Even that larger treaty which was to have opened to us the French markets on the same terms as enjoyed by Great Britain and Germany, our chief competitors there in manufactured goods, did not give the French the full reduction authorized by the above quoted section of the Dingley law. The French came to Mr. Kasson offering to extend to our imports their entire minimum tariff in exchange for the 20 per cent. reduction on the Dingley tariff as authorized in section 4, but Mr. Kasson would not entertain that offer. That did not save his more modest treaty, however, when it reached the Senate.

III.

Our position as above outlined, resented, as it is, by the European nations, is further complicated by the different interpretation we put on the "most favored nation" clause, as compared with European practice. The difference in the respective attitudes of the European governments and our own will best be illustrated by our relations with Germany.

The only general treaty regulating our trade relations with Germany is that concluded with Prussia May 1, 1828. Article V of that treaty says:

> "No higher or other duties shall be imposed on the importation into the United States of any article the produce or manufacture of Prussia, and no higher or other duties shall be imposed on the importation into the Kingdom of Prussia of any article the produce or manufacture of the United States, than are or shall be payable on the like article being the produce or manufacture of any other foreign country. . . ."

On the strength of this clause, Germany claimed that any tariff concession made by us to any country must of right be extended to her, without any additional concessions to us on her part.

However, the same treaty with Prussia contains another clause, Article IX, which reads as follows:

> "If either party shall hereafter grant to any other nation any particular favor in navigation or commerce, it shall immediately become common to the other party, freely, where it is freely granted to such other

nation, or *on yielding the same compensation, when the grant is conditional.*"

It is on this latter part of Article IX, italicized above, that the American government lays special stress, and makes it the test for the extension of the most-favored-nation treatment in our relations with foreign nations. It is not accepted, however, by the European governments, and may cause considerable friction when the work of revision of the tariffs is completed, and the Europeans get ready to take up the matter with us.

In order to be in a position to appreciate the interests involved therein, let us cast a glance on the balance-sheet of our trade with the principal European countries.

IV.

Our total exports to Europe in the fiscal year 1904 exceeded one billion fifty-seven million dollars (the largest on record except 1901), constituting considerably over two-thirds of our total exports. Of this most important branch of our foreign trade, the United Kingdom alone, not including any of the British colonies, took more than one-half, or nearly 538 millions. The next largest customer is Germany, with 214 millions, or more than 20 per cent. Next in order of importance are France, with 85 million dollars or 8½ per cent., and Italy, with 35 millions or 3½ per cent. The figures credited to the Netherlands and Belgium in our statistics, namely: 72 and 41 million dollars, respectively, are, no doubt, in excess of what those countries imported for their own use, a considerable part of our exports to those two countries being destined for Germany, France, Switzerland, Austria and Russia.

Let us see, now, what progress we have made with our exports to the most important European countries in the last ten years.

Fiscal year ending June 30.	United Kingdom.	Germany.	France.	Italy.	Austria-Hungary.
		Millions of Dollars.			
1895	387	92	45	16	2
1896	406	98	47	19	2
1897	483	125	58	22	4
1898	541	155	95	23	6
1899	512	156	61	25	7
1900	534	187	83	33	7
1901	631	192	79	34	7
1902	549	173	72	31	6
1903	524	194	77	35	7
1904	538	214	85	36	8
Inc. during decade....	39%	133%	89%	125%	300%

The figures of increase per cent. need no comment. They bear eloquent testimony to a rapidly growing trade with the most advanced nations of the world. Yet it is in these very countries, which together take the greater part of our exports, that the greatest danger to our export trade is lurking behind the new tariff legislation, which is quickly reaching its final shape and will confront this country at no distant date as an accomplished fact.

V.

As regards England, much need not be said here. The Chamberlain agitation is a matter well known to everybody, and is likely to result in some form of legislation to enable the government of Great Britain to force better terms for its trade in the markets of the world. The differential duties in her favor granted to her by our northern neighbors has led to an expression of hope on both sides of the ocean that the Mother Country may see its way clear to introduce a moderate duty on imported grain, not so much for the purpose of protecting the British farmer, as for the opportunity that would give for returning the Canadian compliments by way of a preferential duty on Canadian wheat. This would not only mean a severe blow to our export trade to Great Britain, but would greatly impede, if not effectually block, the movement now going on, on either side of the Canadian border, for reciprocal trade arrangements.

But it is the German position which is fraught with the gravest dangers, not only for the interests it directly affects, but also for the impetus it is likely to give to imitation by other nations which are looking to her for a lead.

As already stated, the present German tariff was adopted in 1892 as a result of a series of commercial treaties she concluded with the most important European countries. All of those treaties "bound her tariff until 1903,"—that is, fixed it beyond a possibility of change. Having extended to our trade the benefits of her minimum duties, Germany was granted, in a reciprocity treaty concluded by President Harrison in 1892, the free importation of sugar into the United States. The Dingley tariff of 1897 removed sugar from the free list; but, in its place, we granted to Germany lower duties on the few commodities covered by the treaty concluded by President McKinley in 1900. At that time, Germany was already at work on her new tariff.

In the preparation of the new tariff (on which, it may be said in passing, the Germans spent nearly five years, having been at work on it continuously since 1897), the strategic position of the United States has figured more prominently in the endless discussions of government tariff experts and business associations, than probably that of any other nation, with the possible exception of Austria-Hungary. The new tariff, after passing the Reichstag and receiving the sanction of the Emperor on December 25th, 1902, has not been put in force as yet. It has so far served as a basis for new negotiations with the principal countries with which Germany has had commercial treaties.

In its final shape, the tariff presents such an extraordinary increase of protective duties, especially on agricultural products and other raw materials, as to have called forth the strongest condemnation even from the protectionist manufacturers' associations of the Empire.

A few figures will suffice to show how the new tariff is going to affect our exports. We shall take for our illustration only those articles which constitute an important item in our export trade to Germany. The duty on bacon is raised from 20 marks per 100 kilograms in the old tariff to 36 in the new, or 80 per cent.; on canned beef, from 15 marks per 100 kilograms in the old tariff to 60 marks, plus a surtax of 20 per cent., in the new, making a total increase of 380 per cent.; on lard and cottonseed-oil, from 10 marks in the old tariff to 12.50 marks in the new, or 25 per cent.; the duty on various kinds of lumber is increased about 25 per cent.; the old duty of 24 marks on sewing-machines is raised to 35 marks or 46 per cent.; the increase of duty on other kinds of machinery, such as typewriters, agricultural implements, etc., reaches as high as 50 and 100 per cent.; the duty on wheat, which has been 3.50 marks per 100 kilograms under the conventional tariff still in force, is raised to 7.50 marks per 100 kilograms (about 50 cents per bushel), or over 114 per cent.; on corn, from 1.60 marks to five marks, or 212 per cent.; on flour, from 7.30 to 18.75 marks, or 156 per cent.

A few of the important articles of our trade have not been subjected to an increase of duty, as they are of prime necessity to German manufacturers and cannot be produced there: thus, cotton, copper, fertilizers, rosin and turpentine are on the free list; the duties on refined mineral oil and tobacco remain the same.

But, serious as the enormous increase of the German rates may be in its potential danger to American exports, it can completely paralyze our trade the moment other countries are granted more favorable terms than ourselves. As long as Germany is willing to place this country on an equal footing with other nations, we may continue to hold our own against our competitors, at least so far as our *relative* share of the Empire's trade is concerned. But all indications seem to point to an intention on the part of the Germans to refuse us the most-favored-nation treatment, unless we make equivalent concessions in return. It is true that a tariff-war with the United States might prove more costly to her than to ourselves, as it would tax her industries to a far greater extent; but the same may be said of any war, and was no less true of her tariff-war with Russia in which she undertook—and with complete success—to force the latter country to grant more favorable terms to her goods in the year 1894. On that occasion, Germany used American competition as a whip against Russia. At present, there is apparently an intention to use Russia as a whip against the United States. For, no sooner had the tariff received the Emperor's signature, than successful negotiations for a commercial treaty, whose terms are still kept secret, were opened with Russia. Germany selected the proper psychological moment for the operation, being able to secure favorable terms in return for moral and financial support in the war with Japan.

What with our refusal to give the most-favored-nation clause the same sweeping interpretation as Germany has been insisting on so far, and our repeated assertions that the old treaty with Prussia does not necessarily apply to the entire German Empire, Germany has ample ground, from her point of view, for denouncing the old treaty and subjecting our goods to the rates provided for in her new general tariff, as illustrated above. Should we resort to reprisals, or even should we grant to any nation more favorable terms than to Germany under our construction of the most-favored-nation clause, the German government is authorized by Section X of the new tariff law to have our goods "burdened with a surtax ranging to 100 per cent. of the tariff duty imposed on such goods, or even with a surtax equivalent to the total value of the goods themselves. Goods free of duty by virtue of the tariff may, under the same conditions, be taxed with a duty not exceeding 50 per cent. *ad valorem*."

Such are the serious possibilities hidden in the present German-American trade relations, which are apt to reach a critical stage as soon as Germany has concluded new treaties with her neighbors and denounced the treaties now in force.

Nor can it be said that our relations with the other principal nations on the European continent are in a more satisfactory condition. Our trade agreement with France, concluded in 1898, gave us reduced rates on a number of articles mentioned above, of which we exported to France in that year nearly three million seven hundred thousand dollars' worth, or only about four per cent. of our total exports to that country. It is interesting to note, however, that, while our total exports to that country *declined,* in the five years following the conclusion of the reciprocity agreement, from $92,000,000 (in round numbers) in 1898 to $72,000,000 in 1903, or about 22 per cent., the trade in the few articles covered by that agreement *increased* from $3,700,000 to $5,400,000, or about 46 per cent. This goes to show that the reason for the unsatisfactory progress of our export trade with France lies in the maximum rates we have to pay. Says Mr. A. M. Thackara, United States Consul at Havre, France*:

"The trade of our country with France is handicapped to some extent by the heavier freights and custom duties our shippers have to pay, in comparison with the German and English competitors; and, no doubt, if the commercial agreement now existing between France and the United States were extended to cover other articles, the trade between the two countries would be materially increased."

Even as it is, according to the same authority, "we sent to France 15 per cent. of her wood imports, 20 per cent. of the machines and machinery imported, 5.5 per cent. of the tools and hardware, 11.8 per cent. of the lumber and woodware, 7 per cent. of the dressed skins, 18.75 per cent. of the oil-cake and 7 per cent. of the rubber goods received." Results like these, achieved in the face of serious handicaps to our trade, certainly point to a most promising field, which could be utilized to a far greater extent if we could but secure to our manufacturers the same treatment as is accorded to their German and English competitors.

What has just been said of France applies with even greater force to Italy, which is less developed industrially, and therefore

* Commercial Relations, Consul. Rep., 1903, p. 410.

offers a more valuable field to our manufacturers. Here, too, we enjoy lower duties on a limited number of our products only, while paying the maximum duties on the rest of our exports. The result is that, while our exports of agricultural implements (enjoying a minimum duty) have nearly quadrupled in five years (from about $50,000 in 1898 to $193,000 in 1903), our total exports increased only 80 per cent. in the same period.

Russia granted us her minimum tariff on all our exports under the most-favored-nation clause. But the countervailing duty which Secretary Gage imposed on her bounty-paid sugar precipitated a tariff-war between the two countries which is still on. As the first step in that war, Finance Minister Witte issued an order, which took effect March 1st, 1901, subjecting our exports to the maximum duty, with an additional surtax of 30 per cent. on several classes of iron and steel manufactures, tools, machinery and bicycles, and 20 per cent. on rosin and pitch, making the total increase over the duties previously levied on those goods from 50 to 100 per cent. The new tariff which Russia has just adopted, but which, like the German, has not as yet been put in force, pending the conclusion of new treaties, has raised those duties still higher and threatens to kill our trade entirely, unless we come to some new arrangement with that country.

Our relations with Switzerland are also strained, since we denounced our treaty with that republic. This had to be done, because it was found that the wording of the most-favored-nation clause in the old treaty was such as to allow only the European interpretation of it. Since then, our exports to that country have been subjected to the maximum rates of duty, which have been further increased in the new Swiss tariff which is soon to be put in force.

In Austria-Hungary, we still enjoy the benefits of the most-favored-nation treatment with excellent results. But the mutterings against the "American invasion" in the Dual Empire are growing in volume and intensity in proportion to the progress we make, and no doubt need to be entertained that we will not be allowed to fare as well under the new tariff, which awaits the sanction of the Reichsrath to become a law, unless they succeed in getting something in return.

The above presentation of the existing state of our foreign trade relations has not been made with the intention of con-

structing an argument for or against tariff revision. The only desire was to bring out the salient features in our foreign trade relations, which will undoubtedly claim a prominent share of the attention of our government in the near future. The only way in which it would seem the situation could be met is by vesting the administration with power to enter into negotiations with the governments of the different countries at the proper time. This could be done either by amplifying the scope of Section 3 of the Dingley law, which would give to the President power to arrange reciprocity treaties on a basis of a larger number of articles than those now provided for; such a provision would enable the President to conclude new treaties without requiring the sanction of the Senate, as was done in the case of the four trade agreements concluded by President McKinley with Germany, France, Italy and Portugal, now in force. Or a new lease of life might be given to Section 4 of the Dingley law, under which Mr. Kasson unsuccessfully tried to conclude reciprocity treaties, and which expired by limitation on July 24th, 1899. Or, finally, an entirely new enactment might be passed by Congress looking to that end.

N. I. Stone.

THE IMMORTALITY OF THE SOUL.

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It is not surprising that the orgies through which history has passed in the name of immortality should have been followed by a period of indifference. Otherworldliness had become a curse worse than Greco-Roman naturalism. It seems that, when man reacts against ideas which he discovers to have represented an error and to have disturbed the motives of a healthy will, he does so with his whole heart, and preserves his dignity, his freedom, and his independence only by disavowing all interest in what his predecessors had valued above all else. Having discovered that the belief in a future life had been as much abused as it was lacking in the credentials which supported other beliefs, he resolved to waste no time in crying over his losses and to divert his energies into the salvation of his present life. In this way, he gave health to his activity while he crushed the puling sentiments of despair, making himself a man while he sought his hopes and enthusiasms in the order in which he has to live and struggle. Nature had effectually concealed from him any other order than the present, at least according to the accepted standards of philosophy and science, and thus apparently taught him not to try discovery in the transcendental or to build and act on hopes that were not based on facts intelligibly reflecting another world. The reaction against mediævalism thus had its healthy character. But to achieve this development it had to neglect another side of the belief in a future life, and this was its influence on the individual and social ideals of man. In spite of the moral abuses associated with the idea of immortality, it has had a profound influence on man's attitude toward nature and its treatment of his fellows, as well as the spiritual estimate which he placed upon himself.

This view is clearly evinced by the observations of Mr. Goldwin Smith in an earlier number of this REVIEW, in which he gave a frank and emphatic recognition of the social value attaching to the belief in immortality; and a special interest attaches to these observations, because they come from a historian and not from a philosopher, from a man who has observed closely the movement of political events, and who has not been primarily occupied with abstract speculation.

Though the utility of the belief is conceived from the point of view which his agnosticism has discarded, there can be no doubt that Mr. Goldwin Smith rightly estimates the natural consequences of surrendering the longer and more ideal conception of human life and consciousness, a surrender that must entail a return to the economic and materialistic conception of conduct. The recognition of this utility wherever it is admitted ought to awaken the inquiry whether the belief can be wholly an illusion. The fact that a belief has beneficial consequences through long periods of time rather supports the conviction that it contains a truth, whether provable or not. The very doctrine of evolution would tend to confirm a suspicion of this kind, as in it survival, whether of ideas or things, is more or less the test of truth and value. Of course, scientific method will rightly demand better evidence than utility for its convictions on so important a subject, but it can hardly escape responsibility for investigation after conceding a value to the belief.

But, when it comes to estimating the intellectual grounds of this belief, Mr. Goldwin Smith has the choice between philosophy, revelation and science. He rightly rejects the conclusiveness of philosophic arguments, and he distrusts revelation because it has no way of satisfying our doubts about its alleged facts. To science he does not turn, though he does refer to the allegations of a false spiritualism, without mentioning that psychical research which is an effort to discriminate in the claims of the spiritualists, and to investigate a set of facts that, if genuine, suggest a fair reason for the hope that Mr. Goldwin Smith admits is possible in spite of his agnosticism. For strategic purposes he had to omit all mention of this subject. The inadequacy of philosophy and revelation will always be felt wherever scientific method prevails, and it will be scientific method that will always determine the strength of agnosticism on the problem of survival after death.

As for myself, I recognize no conclusive evidence independent of scientific method.

I say "conclusive evidence," because I wish to admit the existence of a body of influences (not evidence) which keep the belief alive without being able to satisfy human reason. I refer to our so-called instincts, love of friends, love of existence, the feeling that life is irrational without it, the moral law, and the implications of a divine intelligence. I cannot regard nature as rational unless it involves the persistence of personal consciousness and of man's highest ideals, quite as much as the persistence of force. But then nature may not be rational, and I shall not insist on that rationality unless I prove this survival as the most probable fact. To assume the rationality of nature in order to prove immortality is only begging the question. When we come to assuring ourselves, we have to discover facts that will permit no other interpretation than survival, facts that will stand the scrutiny and analysis of scientific method.

It is admitted by all parties that Christianity and its doctrine of immortality were founded upon the story of the resurrection. Whatever the facts may have been which were embodied in this story, it is clear that the idea took the form in later thought of the bodily resurrection, that is, the reappearance of the physical organism at some particular time with the identical consciousness that characterized it in its mortal existence. But, in assuming this form, the belief had forgotten the intellectual conditions which had given rise to the original form of statement for it, and so had distorted conceptions which were conceivable under the assumptions of a philosophy quite different from that of later periods. This is worth a careful examination.

Ancient philosophy maintained that all substance was "physical" or "material." Immaterial substance was inconceivable to it. If it even thought of the "immaterial," it was only as the functional activities of matter, or as space which was practically nothing. When it came to making distinctions to explain certain phenomena whose causes did not clearly reveal themselves to sense perception, a distinction was drawn between heavier and lighter matter, and the lighter matter, in the process of refinement, became wholly supersensible and at least approximated the conception of the spiritual in later times, if it did not become identical with it. It was a widely prevalent view that the soul

consisted of this fine matter, and that conception easily gave rise to a doctrine of the resurrection. But, when religious thought came forward with its theory of the creation of "matter," accepting its phenomenal character from the philosophy of Plato, it was forced to carry the distinction made between heavy and light, sensible and supersensible "matter" over into the antithesis between "matter" and "spirit," and two kinds of reality were set over against each other. This opposition or dualism matured in the philosophy of Descartes, that is, obtained the clearest conscious expression in him, though it had determined men's mode of thought in these matters for centuries before this maturity. This development of thought tended to associate the idea of "matter" with sensible substance, or when its supersensible form was admitted, to exclude the spiritual from it. In this view of things, a doctrine of the resurrection would most naturally take the form of asserting the resurrection of the biological organism with which we are familiar, and this would be the tendency of all who were not familiar with the philosophic conceptions which might make the resurrection of the soul or finer supersensible matter a possible fact. The system of thought which conceived the soul as a fine "matter" would have no such difficulties with a doctrine of the resurrection as we should have with it when applied to the physical body as we know it, and the common mind of the ancient period, not being familiar with the speculations of the schools, would easily enough mistake references to the "spiritual body" for those of the physical body, as both were of the same nature. Let us examine this more carefully.

There were three systems of philosophy prevalent at the time in which Christianity originated. They were the Platonic, the Epicurean, and the Neo-Platonic. The Platonic philosophy has always been known as advocating the immortality of the soul, but it is easy to be deceived by its language. Immortality, as maintained by Christianity, means a personal survival after death. But Plato did not affirm personal survival. His immortality was the indestructibility of substance, and not the permanence of its phenomenal forms. He was influenced by the general conceptions of his time which had observed the continuity of species and kind; and, with the conviction that there was something permanent at the basis of these phenomena, his conception of the imperishable was the same as our conservation of energy in its essential aspects.

Hence Plato's conception of immortality took the form of reincarnation, and not of personal survival—that is, the functional identity of consciousness independent of the physical organism. He no more believed in the persistence of personal identity than the modern materialist. The Neo-Platonists had much the same view, though they dabbled in natural magic and phenomena that would now be the subject of psychical research. But they were not for personal immortality in any clear sense of the term, but rather for absorption in the Absolute. The Epicureans denied immortality, holding that personal consciousness did not survive death, being merely a function of a perishable complex organism of fine "matter." But there was a peculiar inconsistency in the materialism of Epicurus and his school. They maintained that the soul was a fine material or "ethereal" organism in connection with the grosser bodily organism which we sensibly know, and hence they referred consciousness to this finer organism as its function. It thus followed common sense in the distinction between mental and "physical" phenomena, referring the mental to the "ethereal" organism. Now, if Epicureanism had referred consciousness to the grosser physical body or organism as its function, like digestion or the circulation of the blood, it would have good ground for denying personal survival after death. But, after saying that the soul was a fine "material" organism other than the grosser body, the school had no ground for asserting its extinction with the grosser physical body. All that it had evidence for was the perishable nature of the sensible physical organism and its functions, and it should have sought evidence that the finer organism perished with its functions. This it did not produce, but affirmed in an *a priori* manner.

Hence the believer in personal survival had only to reduce the materialistic philosophy to a logically consistent position, in order to produce an unanswerable *ad hominem* argument for immortality. He could either demand evidence for its perishing or assert that, like the atoms, the "ethereal" organism could not perish unless some external force destroyed it. The ideas of gravity at the time favored the notion that this "ethereal" organism would rise into the higher regions of space. The whole ancient conception of the movement of matter favored this notion. Having no theory of gravitation like the Newtonian, they generalized common experience and maintained that heavy matter tended

downward and light matter upward. Hence there arose the idea that, at least after a period of association with the grosser body in the underworld, the "ethereal" body rose into the upper or "ethereal" region. The resurrection of the "body" was thus the resurrection of the finer "material" organism, which we may call "ethereal" or "spiritual" as we please. But, when the philosophic conceptions which made this idea possible had passed away, the phrases about the resurrection would inevitably apply to the sensible ideas of "matter," and the physical resurrection would take the place of the older conception associated with the supersensible view of the soul as an "ethereal" or "spiritual body." As "matter" in the Christian system became a created and phenomenal thing, a sensible reality, the notion of a resurrection would be transformed into that of the sensible physical organism, while its credibility would be as possible as its theory of creation, and would stand or fall with it. But, as long as the soul was conceived as a finer "matter" or "ethereal" organism, some theory of a resurrection was perfectly consonant with the idea of Greek thought generally in regard to the distinction between the different types of "matter" and, in particular, with the materialism of Epicurus as it was conceived and defined.

Now, a doctrine of the resurrection had been worked out as credible long before it was alleged, as a fact, of Christ. The controversy between the Sadducees and Pharisees on the question of immortality is indubitable evidence of this assertion. The Pharisees affirmed the resurrection, the Sadducees denied it. The former were the democratic religious class, the latter the aristocratic materialists. The idea of a resurrection of some kind was quite familiar and was not sprung upon human belief without warning, and it represented philosophic preconceptions in entire harmony with the spirit of the age, an antecedent probability in the terms of the prevailing materialism, and so quite adjustable to the belief, then and perhaps always common, in apparitions of the dead. It makes no difference whether stories of apparitions represent real spiritual existences or mere illusions and hallucinations. They have been taken for realities and have influenced belief accordingly. In human thought and action, belief will serve all the purposes of fact. Apparitions have been believed to be facts, representing actual realities independent of the mind experiencing them, and in all ages this belief has affected the

doctrine of immortality. That they were matters of common notoriety and acceptance at the time of Christ is evident in the story of the appearance of Moses and Elias on the Mount, the supposition that Christ walking on the water was a "spirit" or apparition, the story of Christ's appearance to his disciples on the way to Emmaus, and of his appearance in the locked room at Jerusalem, and St. Paul's vision of Christ. Allied phenomena were the "speaking with tongues" on the day of Pentecost and demoniac possession. These with the accepted philosophic conceptions of the soul made a doctrine of the resurrection quite natural, though it was at first conceived as that of the "spiritual" body, which, as I have said, was only a finer "ethereal" matter. But when this conception of "body" had disappeared and the conception of the soul as a reality, without any "material" attributes whatever attaching to it, had taken its place, the notion of a "bodily resurrection" could take no other form than that of the physical organism with which we are familiar, and authority was sufficient to maintain it against all credibility.

The physical resurrection thus became that of the gross material body when the primitive conceptions of the problem, both in philosophy and common life, did not require any such belief. Hence the perplexities of the modern sceptic are the consequence of intellectual changes, accompanied by the attempt to sustain traditional formulas and modes of expression in a past no longer understood. The orthodox man has been his own great enemy. Instead of interpreting the doctrine in the light of its environment, that of prevailing philosophic and current common conceptions, and thus finding what men really believed, he has transliterated the phrases of the past and read into them his own conceptions born of his own experience and the influence of a later philosophy. It is this that has made it impossible for intelligent men to believe in the traditional evidence for a future life. Taught to accept it on the authority of stories told nineteen centuries ago, when similar accounts would be and are discredited to-day by the very people who ask us to believe those of antiquity, and discovering that tradition is either unreliable or incompatible with the known truths of science, they naturally recur to scepticism, as their necessary mental attitude toward a belief which their natures crave, but which their intelligence cannot support. If they could frankly investigate the facts about them, they might

find some scientific ground for a faith which they ridicule or deny, because it is more respectable to talk about illusions than it is to investigate facts. I have only to refer to such experiences as that of Lord Brougham, Professor Romanes, Andrew Lang, and the hundreds or thousands of instances recorded in the "Phantasms of the Living," in the "Census of Hallucinations" by the Society for Psychical Research (Vol. X. of *Proceedings*), Flammarion's "*L'Inconnu*," F. W. H. Myers's "Human Personality and its Survival of Bodily Death," and the many thousands of such facts not yet published but on record, in order to show that even ghosts do not always yield to the exorcism of a sneer, though I am loath to entertain them as scientific evidence of a future life, even when I am puzzled to explain them by any other supposition. I can well conceive, as I know to have occurred in some cases, that imagination has produced creations which examination soon dispels as illusions. But there are many thousands of well-authenticated instances, involving certain kinds of detail and coincidence with distant facts not known at the time, which are not easily explicable by either chance or ordinary hallucination, and which make them fit subjects of scientific investigation, even though they result in proving less than that which they superficially claim to suggest. It is easier to ignore them or to ridicule them on the popular prejudice against their significance than it is to suit ones sceptical theory to the facts, and they are usually ridiculed by those who will not examine all the evidence.

When the supernormal is once conceded, as it seems to be in such phenomena as are on record in connection with the most careful investigation, it is only a question of the kind of facts whether we are communicating with discarnate personalities. The facts on record are just such, with variations due to special conditions of mind involved in the act of communicating, as we should expect friends to send over a telegraph wire to prove their identity when disputed or demanded. Their triviality is an advantage in the evidential problem, and so far from disconcerting the sane scientist will only meet with his approval. This point aside, however, there can be no doubt that the subject and the facts demand the respectful consideration of science.

But Mr. Goldwin Smith objects and says that "we look for dignity in the manifestations of the spirit world." This objection will not bear consideration. We may well sneer at the per-

formances of impostors and the silly and credulous allegations of dupes; but to demand dignity of a ghost, or of a communicator from a transcendental world, is to ignore both the facts and the most natural assumptions of difficulty implied by the almost universal silence of discarnate spirits, if they exist at all. No intelligent man, studying the phenomena which purport to be communications from the discarnate, and which have excluded the consideration of fraud, would expect dignity to be reflected in the transmissions of messages from a supersensible to a sensible world, when those communications must come through abnormal media. The difficulties and complications in such communications are not only to be expected, but are the most obtrusive characteristic of the phenomena claiming a transcendental source, while the investigator has emphasized *ad nauseam* the fact that the medium is in an abnormal mental condition, as a means of obtaining anything at all from the outside world in a supernormal manner. Add to this the evident hypothesis that the discarnate spirit has himself to be in a more or less hypnotic or trance condition in order to communicate at all, and it ought to be apparent that we should not expect the language and thought of inspiration. We must be thankful if we get anything as intelligible as delirium, which is perhaps better for proving personal identity than anything else that we could desire or obtain. To expect dignity in any such situation is to misinterpret the facts and the conditions. The argument from dignity is a reflection of intellectual pride and not of scientific insight. Cicero and many ancient philosophers argued for immortality on the ground of man's dignity. But such a plea is possible only to aristocratic temperaments and can have no place in a democratic mind. Evidently we have not yet learned the lesson of humility which evolution teaches us. Dignity should have no more place in this subject than it has in the dissecting-room or in the study of earthworms, and we should no more expect it in the communications than we find it in the common intercourse of men. Most of the social intercourse in which we seem to take pleasure consists of badinage and small talk, and the only dignity that it ever exhibits comes from our personal vanity and the seriousness with which we take white neckties and décolleté dresses.

It is the triviality, and not the want of dignity, in the communications that perplexes those who do not think scientifically

and clearly on the problem and the facts. I can well understand the difficulties which this feature of the alleged communications creates for all who are more interested in the intellectual and moral appearances of the data than in the scientific side of the question. But I must reproach them for appealing to the scientist for an opinion, and then laughing at his conclusion because it does not square with ignorant impatience and aristocratic pride. If you cannot make out a case of fraud, you must accept the conclusion which science offers, even if it shows that we are all idiots after death. But there is no final reason for supposing that idiocy is the natural state of the discarnate, if they exist. We might have the intelligence to conjecture that the manifold complications, mental and physical, intervening between a spiritual and material world not connected as in the human organism should give rise to all sorts of limitations and inanities in the communications, and then examine the facts to see if the hypothesis is sustained. The verdict of science has to be accepted, whether we like it or not; and, if we wish to escape its decision, we should not appeal to its court, which entertains no presumptions as to what should be in another world when communication with it is in course, unless it be the presumption that difficulties would be most natural. The analogy of a man born blind trying to make his aural experiences intelligible to a man born deaf and dumb might afford some caution to those who rush in to predetermine the nature of the communications, even supposing the communicators to have no mental difficulties on the side of the discarnate. But when you add the hypothesis of something like a condition of dreaming in the transcendental world as necessary to communication, we may well expect that the pathological of one side should be made worse by the pathological of the other. It should be apparent also that such a condition in the spiritual world, as affecting the possibility of communicating, would make it extremely difficult, apart from the obstacles to describing a supersensible world in sensible terms, to convey any rational account of it, a situation which the moralist might welcome as excluding all reasons for dabbling in that otherworldliness which has been the shame of religion in the past and the danger to which its revival is exposed. What disgusts the morally healthy man in the Spiritualistic organizations is not only the dubious character of their performances, but also their exclusive occupation with an

otherworldliness that is neither ideal nor made to give any lustre or inspiration to the practical philanthropies of daily life. Beautifying and moralizing the terrestrial life are left to the unbeliever who is not interested in immortality. They too often forget that scepticism has been the Nemesis of that faith which sacrificed a humanitarian enthusiasm for a maudlin passion over a future life. But these faults are no excuse for evading facts that have unpleasant company. The phenomena which suggest the possibility of a future life are now too numerous and too well authenticated to be despised, even though investigation should strengthen the cause of scepticism. They certainly demand the same endowed research that is given to deep-sea life, to polar conditions, to biological problems, and to the hundreds of questions that occupy scientific inquiry, especially when the belief in a future life is fraught with such tremendous ethical interests for the human race, both in its individual and its social functions.

Men often wonder why nature is so silent on the question of immortality when it seems so important to civilization. They say that, if it is a fact and has the value claimed for it, the rational law of things would be to reveal it and make it certain. But in this judgment they both neglect the various considerations in the economy of progress and evade their own responsibility for that apparent silence. If psychical research has any right to respect, and that it has is now generally granted, a complaining scepticism has itself to blame for the grief it feels. It appears that the facts suggesting it are plentiful in all ages and have been neglected, as is usual with residual phenomena, by all who prefer conventional creeds and respectability to the truth. And then human nature, with its passion for some other condition than any in which it finds itself, has so often abused its hopes that morality could revenge its own neglect only by cultivating the spirit of doubt. To the majority of men, immortality appears only as a personal boon or prize to be desired and obtained without due regard to the moralities and duties of the earthly life, and unaccompanied by that divine pity for others which makes sound minds equally indifferent to a future life and invulnerable to the doubt of it. The temptations to selfishness are not always overcome by the belief, and hence its distortion in the development of Christianity. But, whatever the abuses associated with the doctrine, it affords almost an indispensable leverage for those

whose interests are instinctively social and moral to raise the estimate of life in others. It is not the hope of personal satisfaction that gives it the value it possesses for human life and conduct, but the opportunity it offers moral personality for more complete development. The fact that we may have a personal interest in it does not detract from its value, provided that interest is complemented by humanity. That is, no personal interest that consists with the equal development of others can be immoral or objectionable in any social sense. Consequently, there is no reason for depreciating its value and influence on life, but the materialistic conviction that it is not obtainable at any hazard, however desirable it might be. Both the instinct of self-preservation and the conscious estimate which we place on all the higher ideals of life—that is, the knowledge, the affections, the emotions, the aspirations, the actions of men in science, art, religion and politics—are indubitable evidence of the fact that morality requires us to estimate consciousness more highly than a dead nature, and hence it is only an extension of this idea that we should demand a future life as an evidence that nature is as respectful of consciousness as it is of matter. The indestructibility of matter and the conservation of energy show that inorganic forces are permanent and why not consciousness and personal identity, if morality is to have any validity beyond Epicureanism of the sensuous sort? If then any assurance can be obtained that nature preserves the opportunity for a spiritual development, there is abundant reason for supposing that the belief of immortality can be put to a noble use, and if it is not so used the fault is not in the belief.

The belief had little influence in Greco-Roman civilization because there was no recognition of the value of the individual and his moral personality for itself. Individuals existed for art and the state and not for their own development. In Christian thought, the individual represented a soul of infinite value for itself; and, instead of being voluntarily sacrificed to the interests of the state, others were conceived as equals and the sacrifices due them must be voluntary. Hence democracy and the immortality of the soul became associated. But these ideas derived a part of their efficiency from associated doctrines. It was the Christian scheme of damnation and redemption that made men feel the importance of a life adjusted to the belief in immortality. This

scheme was not based solely upon personal hopes regardless of social conduct, but it conditioned salvation upon the performance of all those social duties which represented and recognized the love of others as well as self. The importance of both was exalted by the denial of probation after death. This position gave a terrible importance to right action in this life. The hope of personal happiness hereafter was made dependent upon social duties in this world. This conception combined individual interest and social morality in a manner that gave Christianity far more influence on civilization than Greco-Roman philosophy. It secured the importance of individual personality, which Greece and Rome did not recognize, and protected society by higher ideals than science and art, as well as by a strong motive either for respecting our neighbors or for adjusting our conduct to their equal rights.

The history of the Middle Ages shows what a tremendous influence for good and evil this idea exercised, and the application of it was so terrifying that the Church had to adopt the theory of Purgatory to modify its asperities, and even this only postponed the termination of probation. It is, therefore, quite natural for the human mind to resent the silence of nature on a future life, if the chance for reform or improvement is lost with the present. With the want of any probation in another world, there ought to be some definite assurance of the life that excludes it, so that the motive for morality might be as effective as strict justice requires. Responsibility is proportioned to knowledge. But if there are no irredeemable consequences of conduct, if nature or Providence be more merciful than medieval theology represented them, and if the function of morality be merely social, the passion for assurance as to a future life would be less intense and the want of it would call for less resentment against the order of the world. The approval or impeachment of any order depends upon the adjustment of knowledge and responsibility. Hence the question whether a future life should be known or unknown depends partly on the relation which subsists between terrestrial morality and the condition of personality after death and partly upon the use which man makes of his knowledge when he has it. If this belief or knowledge is not rightly used scepticism must be the redeemer of morality.

But scepticism may also have a Nemesis, and it is sure to have this, unless it accepts responsibility for progress. If you shut out

all hope and belief in a future life, you undoubtedly limit the motives of some morality to the present life, and at least during the reaction against the older religious otherworldliness this tendency will be toward a sensuous and materialistic conception of conduct. In this transition the older religious ideas may carry over into the secular view some, but only a temporary, influence. The social and ethical motives instigated and sustained by a Christian hope may lapse, while the momentum of habits that have become conventional under the original impulse may continue an external morality long after the motives that originated them have been abandoned; and we should have a brave defence of duties without hope, until a younger generation arises which feels neither hope nor duty, or, if it feels a duty of any kind, gives it a wholly different object from that which was derived from the sense of the permanent value of personality, and returns to the worship of science and art with their attendants of aristocratic distinctions and economic ideals. It is this tendency which Mr. Goldwin Smith has perceived so clearly and indicated so fully, and there can be no doubt, whether for good or ill, that the belief in immortality exercises less influence on practical life than it did two generations ago, when materialism was less extensively held.

The idealistic morality of the spiritual cannot, in the long run, survive the estimate which a spiritual philosophy places on human personality and consciousness. It is the permanent and eternal which interests even science, when it comes to prescribing what is practical and useful for life. Even evolution shows, in its fundamental doctrine of the survival of the fittest, the tendency to place the primary value on what withstands the shock of dissolution. If, then, we can discover the same persistence for personal human consciousness (the survival of personal identity) that we recognize in the conservation of energy, where in spite of all its changes reality retains sufficient identity in kind to be called the same substantive background, we may well consider that nature is quite as kindly toward mind as toward matter, and feel assured that a spiritual life, begun in an incarnate existence, may prolong its activities in some supersensible condition. All that scepticism can deny is the evidence for a future life. It can neither ridicule the idealism of a spiritual view, nor dispute the possible value of the fact of another world, if it is made scientifically credible.

The most significant fact right within the field of scientific materialism itself, and pointing definitely to the possibility or at least to the rationality of supposing the possibility of a future life, is the extent to which physical science admits the existence of a supersensible world of reality which had not been suspected or proved until within recent years. We may instance Roentgen rays, the various forms of radioactive energy whose whole gamut is not yet known, and the speculations about ions and electrons that take us far beyond the world of Lucretian atoms into the measureless universe of ether whose properties make it impossible to apply the term "matter" to it without removing the antagonism of matter to the spiritual. All these discoveries represent realities quite as supersensible as the Christian conception of the immaterial, and we escape calling them spiritual only because the development of human thought has come to confine the connotation of "spirit" to implications of consciousness as its necessary and only function. It is this and this alone that prevents us from claiming that the outcome of physical science is the proof of a spiritual world. We have so defined the nature and problem of spirit as implicative of personal consciousness that there can be no proof of its reality apart from the animal organism and its functions until we show that consciousness and personal identity can survive death. All that the discovery of supersensible forms of energy proves is that the limitations of reality are not confined to the material world as we directly know it, but that there may be vast regions of energy which can be inferred or known only by its effects in the physical cosmos. One theory makes matter itself a creation from vortex "atoms" of ether, an assumption which simply annihilates the older materialism and which sets up a form of reality that might be the fountain source of and basis for the persistence of consciousness apart from the physical.

These are the facts and conceptions that suggest the possibility of the survival of consciousness after death, and it only requires such evidence of personal identity as cannot be explained by fraud or illusion to establish that survival through communication with the discarnate. The phenomena of hyperæsthesia which exhibit remarkably delicate sensibilities of the human organism, and the still more remarkable phenomena which suggest telepathy or the transcendental transmission of thought between incarnate minds, though very sporadic, are facts that make the evidence of com-

munication with the discarnate quite possible, if they exist, and any evidence of personal identity, transcending explanation by fraud, illusion and telepathy, would prove that existence.

Now there is a large body of facts that claim this very character, and they are respectable enough to demand serious attention and investigation, even though they are insufficient to prove what they are alleged to support. They are more sporadic than the phenomena on which physical science relies for its investigations of residual realities, but they are less sporadic than experimental telepathy, and altogether make it a scandal to science that they are not financially provided for in the scheme of investigation. I have enumerated above the sources and records of the facts which allege at least a supernormal explanation and suggest the existence of discarnate spirits as the most natural explanation of some of them. But the complications and perplexities of the problem are so vast and baffling that assurance of any interpretation will be the reward of an investigation scarcely paralleled by any other efforts of science. The price of conviction on either side will be much patience and disappointment in the unlimited field of abnormal psychology, with only such glimpses of the transcendental as may filter through pathological media, and as would raise suspicion of their source were it not that all ordinary explanations are excluded, and that the difficulties and conditions of communication apologize for the character of the phenomena. The dignities and preconceptions of ordinary philosophy will have to be banished from consideration, just as the golden age of the past had to be contemned in the study of evolution, and with adequate protection against fraud and illusion we shall have to distinguish the residual phenomena that constitute beacon lights of another world or indicate little islands of promise in a Serbonian bog of pathology. But it will not matter for the result, and it may even conduce to its moral value, if, in the difficulties and limitations under which proof must come, we discover a world which conceals as much as it reveals, and if the same patient efforts that gave us argon and radium should obtain the evidence of another life, the belief in which, if shorn of the follies and abuses that have haunted its path in the past, may color with its own hues man's little islet of time, and offer that conception of his possibilities and duties which may regenerate his individual and his social life.

JAMES H. HYSLOP.

GOVERNMENT RATE-MAKING IS UNNECESSARY AND WOULD BE VERY DANGEROUS.

BY DAVID WILLCOX, PRESIDENT OF THE DELAWARE AND HUDSON COMPANY.

THE incessant, and at times imperious, demand of the Interstate Commerce Commission for large additional powers has been greatly reinforced and dignified by the President's last annual message. That part of the message which referred to interstate commerce legislation was entitled "Rebates"; but the only legislation suggested was that the Commission should have power to make future railway rates. This illustrated the not uncommon confusion of the two subjects. The matter of rebates has been used largely for the purpose of stimulating public feeling in favor of establishing governmental rate-making. But the power to make future rates would have no effect upon the matter of rebates. A rate made by the Commission would be subject to secret cutting, quite as much as one made by railway traffic officials. The power to prevent rebates and the power to fix future rates are, therefore, two subjects having not the least connection with each other.

The legislative branch of the Government has already acted upon the matter of rebates. The Interstate Commerce Act absolutely prohibits such practices and prescribes heavy penalties therefor; and the Elkins law passed in 1903, without opposition from any interest, provides the further remedy of proceedings by injunction to enforce this prohibition. Accordingly, the Interstate Commerce Commission said in its annual report for 1893 (p. 7):

"The power of the statute in this direction was practically exhausted in creating the offence. When that was done, when certain acts were declared misdemeanors, the subsequent perpetrators of those acts be-

came at once liable to criminal prosecution in like manner and by the same agencies as other offenders. Nor can Congress provide any summary or exceptional methods for preventing or punishing that class of transgressions. . . . Theoretically, at least, the existing system of laws applicable to the wrong-doing now referred to is complete and ample. It is not lacking in strength or certainty."

Again in its annual report for 1903 (pp. 10, 11), the Commission said, in discussing the effect of the Elkins law above mentioned:

"No one familiar with railway conditions can expect that rate-cutting and other secret devices will immediately and wholly disappear, but there is basis for a confident belief that such offences are no longer characteristic of railway operations. That they have greatly diminished is beyond doubt, and their recurrence to the extent formerly known is altogether unlikely. Indeed, it is believed that never before in the railroad history of this country have tariff rates been so well or so generally observed as at the present time. . . . In its present form the law appears to be about all that can be provided in the way of prohibitive and punitive legislation; unless further experience discloses defects not now perceived, we do not anticipate the need of further amendments of the same character and designed to accomplish the same purpose."

Similar views have just been expressed in the Commission's annual report for 1904.

Secret rebates and preferences to individuals have, therefore, been fully dealt with so far as concerns the lawmaking power. "The words of the statutes have no potency in preventing offences, and their multiplication and reiteration will not add to their effect." None of the bills pending in the present Congress has any provisions bearing upon the subject of rebates, and if they should all be passed the position of that matter would not be affected in the slightest degree. It would still be controlled by the statutes now in force which, as the Interstate Commerce Commission has repeatedly said, fully prohibit such practices and establish ample procedure for their prevention. If they continue to exist, it can be due only to failure by the executive branch of the government to enforce the existing statutes.

The only question involved in the proposed legislation is, therefore, whether the power of making the rates from which the income of railroad property arises shall be taken away from its owners and vested in the Government.

The policy of the country has been very distinctly to the con-

trary. There is no indication in the preliminary debates that Congress sought by the Interstate Commerce Act to establish governmental rate-making. No such purpose is expressed by the terms of the statute, which are absolutely controlling as to the legislative intent (3 How., 224).

The Commission, therefore, decided in 1887 that "its power in respect to rates was to determine whether *those which the roads impose* are for any reason in conflict with the statute," (1 I. C. R., 357), and this language was later cited by the Supreme Court (167 U. S., 570) as showing that the Commission at first did not deem itself to be possessed of rate-making power. Subsequently, the Commission, however, made various attempts to regulate future rates. It has been said that the Commission exercised this power for ten years without substantial objection or suggestion that its course was unauthorized by law. (Annual Report for 1897, p. 11). This statement is erroneous. As early as 1889 and 1890, the Circuit Court held, in substance, that the Commission had no power to make future rates (37 Fed. Rep., 567; 43 Fed. Rep., 37), and the latter case was affirmed by the Supreme Court in 1892 (145 U. S., 263).

The Commission was not, however, satisfied with these rulings and continued its efforts, with the result that its authority was immediately challenged in the courts. The consequence was that upon March 30, 1896 (162 U. S., 184), and again upon May 24, 1897 (167 U. S., 479), the Supreme Court held with great positiveness that the terms of the statute granted no such power expressly and that it could not be implied therefrom, saying, "The vice of this latter argument is that it is building up indirectly and by implication a power which is not in terms granted." There was, therefore, no period of time during which the existence of such power was conceded by the parties affected, and as soon as the question reached the courts the power assumed was held not to exist.

The grotesque and empty claim has been made that these decisions in some way changed the act. Thus it has frequently been said that the court "emasculated" the statute; the Commission speaks of the courts having made "discoveries" contrary to the general understanding, by which sections of the statute were "eliminated" and "stricken from the act," and refers to the effect of these adjudications in "defeating the purposes" of the

act; and the Commissioner of Corporations in his recent report says that the force of the Interstate Commerce Act has been "seriously weakened" by judicial interpretation. These fashions of speech show misconception of the processes of jurisprudence. By reason of the Commission's attempt to fix future rates, it became necessary for the Supreme Court to decide whether that body had such power. The court's decision, of course, took nothing from the act and added nothing thereto. The court decided merely that nothing contained in the statute, as it was passed in 1887, conferred any power to make future rates; no more and no less. It is, therefore, idle to speak of these decisions as having in any way qualified the act as Congress passed it.

The action of Congress in the matter was not accepted in all quarters as sufficient. A propaganda was at once set on foot, largely by the Commission itself, for further legislation increasing its powers generally. A few instances may be given of the efforts which have been made to stimulate public feeling and arouse hostility to the carriers.

Thus the expression "transportation tax"* has been habitually applied to the charges of the carriers. This, of course, has no more accuracy than would such an expression as the "wheat tax," or the "beef tax," or the "corn tax," or the "clothing tax," or the "newspaper tax" have in describing what is currently paid for those articles of general use. The individual consumer has no more to do with fixing the prices of such articles than with fixing the charges of the carriers. Those prices, too, are far more of a universal burden than are transportation charges. As the Commission said in its annual report for 1900 (p. 9), "generally a slight increase in the rate does not materially affect the price to the consumer"; and, in its annual report for 1903, "perhaps, in most instances the freight rate is so small a part of the total cost of a commodity that the consumer is unconscious of the increase in rate" (p. 32). But an increase in the price of articles in general use falls directly upon the consumer and is felt at once. Although, however, the burden of the transportation charge is so much the lighter, the general body of the consumers creates the conditions which settle the amount of that charge quite as much as the price of the goods transported. In-

* Annual Report for 1900, pp. 9, 13, 24; Annual Report for 1903, pp. 14, 15, 17.

deed, the most potent cause of the downward course of rates in the past has been the pressing commercial necessities of shippers and consumers and the efforts of traffic officials to meet them.

So, too, the Commission (Annual Report for 1903, pp. 13-15), and one or more of its members individually, have asserted that rates as a whole have greatly increased of late. For example, in an article recently published in the NORTH AMERICAN REVIEW, one of the Commissioners said: "Within the last five years, rates upon *every* important commodity in *every* section have been advanced. . . . We are confronted with increasing monopoly, with advancing freight rates and with no probable relief in sight." At that time the last figures available were those for 1903, so that the comparison extended back to 1898. Yet in 1898, the average freight rate per ton per mile was .753 cents, or seven mills and fifty-three hundredths of a mill, and in 1903, it was .763 cents, or seven mills and sixty-three hundredths of a mill. The increase upon which were founded these lugubrious views amounted, therefore, in a time of generally rising prices, to ten-thousandths of a cent. per mile, or ten cents per ton for each thousand miles, or one and three-tenths of one per cent. In the depression of 1899, rates reached the lowest point ever known, namely, .724 cents per ton per mile. In 1903, the mileage rate was .763 cents. The increase, therefore, was merely .039 cents, thirty-nine thousandths of a cent, or about five per cent. As will shortly be seen, this was far less than the general increase in prices, and in no sense unreasonable.

Again, in response to an inquiry from the Senate, the Commission reported on April 7, 1904, that this rise in rates from 1899 to 1903, had added to gross earnings to the amount of $155,475,502, but that it was unable to state the amount added to net earnings. This was startlingly erroneous; the increase in mileage rate was .039 cents, and the total tonnage of 1903 was 173,221,278,299—multiplying the two together the increase in gross earnings was, therefore, $67,556,299, instead of $155,475,502. Moreover, the figures then in possession of the Commission showed that, comparing 1899 with 1903, gross earnings increased 43.7 per cent. and operating expenses increased 46.7 per cent.; gross earnings per mile increased 31.1 per cent. while operating expenses increased 34 per cent.; the ratio of expenses to earnings increased from 65.24 per cent. to 66.16 per cent.; the number of

employees increased from 926,924 to 1,312,537, namely 385,613 or 41.3 per cent., and their compensation from $522,967,896 to $775,321,416, namely, $252,353,520, or 48.2 per cent.; the average compensation for each individual employee increased from $551.-89 to $582.76, making the total increase by reason of this increased rate $50,373,501; the total cost of fuel increased 40 per cent., or a total of $41,000,000. Still further, the figures for 1904 show that the operating ratio was 67.75 per cent. or 2.57 per cent. of the entire gross earnings above the operating ratio of 1899. These figures show that the slight increase in the mileage earnings has been totally absorbed by the increase in expenses of operation, and has been wholly inadequate to meet the same.

Obviously, the propaganda to take the railway property of the country out of the hands of its owners should rest upon something better than this in order to warrant such action.

The substantive provisions of the Interstate Commerce Act are that (1) rates shall be reasonable and (2) there shall be no unjust discrimination or undue or unreasonable preference between individuals, localities or classes of traffic. No change in these rules is now suggested. Those supporting this agitation should, therefore, show that the present act is inadequate to enforce them. But this is not the case in any respect.

1. *The existing rates are reasonable.* This is shown by the course of freight earnings throughout the country for the past thirty-three years, including 1903, the last year which has yet been officially ascertained. It should be borne in mind that these figures include local as well as interstate business, and that if the two were separated the interstate rates would be considerably less.

Average Earnings per Ton per Mile.

YEAR.	CENTS.	YEAR.	CENTS.	YEAR.	CENTS.
1870	1.990	1891	.895	1898	.753
1882	1.240	1892	.898	1899	.724
1887	1.030	1893	.879	1900	.729
1888	1.001	1894	.860	1901	.750
1889	.922	1895	.839	1902	.757
1890	.941	1896	.806	1903	.763
		1897	.798		

As to the facts, these remarks of the Commission are pertinent:

"Where changes of any importance have taken place in the freight rates of any section, either for local or competitive traffic, in nearly all

cases lower rates are now charged than prior to the date of the act to regulate commerce. . . . Only from an extended inquiry would it be possible to accurately estimate the total reduction effected since the passage of the act to regulate commerce, but that it has been very considerable is well known. . . . Comparing the amounts received by the railways for transportation with amounts which they would have received on the volume of traffic carried from 1889 to 1893, if the average receipts per mile for 1888 had been maintained during the subsequent five years, it appears that the public would in such case have paid for freight and passenger transportation by railroad from 1889 to 1893, inclusive, $525,459,587 more than was actually paid for such transportation during that period."*

The foregoing figures show that the downward course of rates has continued since these remarks were made.

The slight rise in earnings per mile since 1899, upon which so much comment has been made, was due principally, not to an increase in rates, but to an increase in high-class freight from 23.19 to 24.58 per cent. of the total traffic. In any case it was not unreasonable. The average rate in 1897 was .798; in 1899, by reason of unfavorable commercial conditions, but especially of excessively low rates on bituminous coal, the average rate declined to .724; in 1903, it rose to .763—not as high as it had been six years previously, and an increase of thirty-nine thousandths of a cent, or about five per cent. This fluctuation clearly came within the expression of the Commission that "when reductions have been made on account of commercial depression, it is difficult to see why corresponding advances may not properly be made with the return of business prosperity." (Annual Report for 1903, p. 48.)

But, aside from this, there has been no such rise in railway rates as has occurred regarding prices of commodities generally. It has already been shown that in 1904, notwithstanding this slight advance in the mileage earnings, the percentage of operating expenses to earnings was 2.57 per cent. greater than it was in 1899. The recently published Bulletin of the Department of Labor (No. 51) with reference to the general course of prices shows, too, that, taking 100 as the average for the period from 1890 to 1899, the price of all commodities in 1902 stood at 112.9 or 12.9 per cent. *above* the average of the preceding decade. Applying the same treatment to railway rates, they stood in 1902 at 90.2 or 9.8 per

* Annual Report for 1894, pp. 50, 51.

cent. *below* the average of the preceding decade. This proves that railway rates had greatly declined while prices in general had greatly advanced. The general result of conditions in this country is that the rates are about one-third of the average in England and France and about one-half of the average in Germany.

Very few substantial controversies have ever arisen regarding the reasonableness of rates, and the Commission has frequently stated, in substance, that there is no ground therefor. In its annual report for 1893, the Commission stated:

"To-day extortionate charges are seldom the subject of complaint" (p. 12). "We are not troubled with the question (under consideration in England) that rates . . . are too high" (p. 17). "It is significant that . . . there has been, under the operation of the interstate commerce law, a steady decrease of complaints based on charges unreasonable in themselves. The concession is quite general among shippers that, with some exceptions, rates, as a whole, are low enough, and they often express surprise that the service can be rendered at prices charged" (pp. 218, 219). "Traffic for very many competing localities is being carried at rates which do not yield a due proportion of the necessary net revenue which carriers must have" (p. 221). "Rates to competing and distributing centres are not for the most part unreasonably high; they are frequently quite low" (Annual Report for 1897, p. 14). "Many rates in this country are undoubtedly too low" (p. 2). These facts are of general application, because "nearly every city in the country of any considerable size is both a commercial and a railroad centre; therefore a competitive point in both respects" (Annual Report for 1893, p. 39). "It is true, as often asserted, that comparatively few of our railway rates are unreasonable in and of themselves—that is without any reference to other charges made by the same carrier or to those of other carriers," but they may operate to create a preference between localities. "The cases are *exceedingly rare* in which unreasonableness has been found merely from the amount of the rate itself as laid upon the particular traffic and the distance it was carried" (Annual Report for 1898, p. 27).

On March 18, 1898, the chairman of the Commission testified before the Senate Committee on Interstate Commerce that the question of excessive railroad charges—"that is to say, railroad charges which in and of themselves are extortionate, is pretty much an obsolete question." At that time the rate per ton per mile was within *one one-hundredth of a cent* of that in 1903. The foregoing table of rates in each year shows that since these numerous statements were made the rates have been and now are much lower.

Accordingly, cases in which rates have been shown to be unreasonable in themselves are practically unknown. From 1887, until the present time, the Commission has found twenty-six cases of rates unreasonable in themselves, or about one and one-half annually. Further than this, not one of these decisions was sustained by the courts, and *there has not been a single case of rates unreasonable in themselves established in the courts since the Interstate Commerce Act was passed.* The record, therefore, proves clearly that the remedies provided by the act have shown no insufficiency.

The Commission suggests no facts establishing the necessity of any further power in the premises. Even as to the advances claimed to have been made since 1899, amounting to about five per cent., the Commission does not suggest that any action taken has been unwarranted or excessive. In its annual report for 1899, it said: "It is not intended to intimate that these advanced rates are unlawful" . . . but "the injustice which *may* result must be without available redress" (p. 8). In its annual report for 1903, it said: "It would be both unwise and unjust upon the part of the public to prevent them, if they are reasonable under all the circumstances" (p. 15); . . . "if they are just and reasonable, they ought not to be prevented" (p. 17).

The claim is, therefore, not that any injustice has been done in respect to reasonableness of rates—there is no one asserting that he has been damaged and the Commission does not assert the existence of any such injustice. It has full authority under the present statute to compel the carriers to cease charging the present rates if they are unreasonable, but it has never taken effective action in the matter; so far as it has gone the Commission has in general sustained recent advances (9 I. C. R., 382). The claim is merely and baldly that rates generally should be fixed by the Government (Annual Report for 1898, pp. 20, 24; Annual Report for 1900, p. 21).

As no injustice is shown arising from the present method, such expressions of opinion cannot be deemed to warrant the Government in wresting from its owners control of the railway property of the country.

2. *The existing remedies are ample to enforce the prohibition of discriminations or preferences between individuals, localities*

or classes of traffic. As already pointed out, the matter of discrimination or preference between individuals has been fully covered by the original act, as supplemented by the Elkins law. The only matter remaining is that of alleged undue discriminations or unjust or unreasonable preferences between localities or kinds of traffic.

In the words of the Supreme Court:

"It is not all discriminations or preferences that fall within the inhibition of the statute; only such as are unjust and unreasonable (145 U. S., 284). Commerce, in its largest sense, must be deemed to be one of the most important subjects of legislation, and an intention to promote and facilitate it, and not to hamper or destroy it, is naturally to be attributed to Congress; the very terms of the statute that charges must be reasonable, that discrimination must not be *unjust*, and that preference or advantage to any particular person, firm or corporation, or locality must not be *undue* or *unreasonable*, necessarily imply that strict uniformity is not to be enforced; but that all circumstances and conditions which reasonable men would regard as affecting the welfare of the carrying companies, and of the producers, shippers and consumers, should be considered by a tribunal appointed to carry into effect and enforce the provisions of the act (162 U. S., 218). The mere circumstance that there is, in a given case, a preference or an advantage, does not of itself show that such preference or advantage is undue or unreasonable within the meaning of the act" (162 U. S., 220).

Claims that preferences exist and that they are unjust or unreasonable arise from the natural desire to secure equal advantages with others. "The rate is of very little consequence to the merchant, provided it is the same to his competitors as to himself" (Annual Report for 1897, p. 18). The efforts of traffic officials to meet the views of shippers and consumers in these regards have had more to do than any other cause with the reduction of rates and their proper adjustment as between different localities.

"In view of their opportunities, and the temptations to which their traffic officers are exposed, it is perhaps not too much to say that the obligations of neutrality in this regard are usually observed, and that discriminations of this character are not often the subject of complaint" (Annual Report for 1895, p. 17). "It is worth observing that some, at least, of the most important controversies involving the rates and methods of railway carriers, are rather between competing communities or producing regions than between rival lines of railway. Railway development has extended far beyond the point at which any of the greater systems finds its interests so identified with a single community

as to feel wholly indifferent to the demands and needs of all competing communities. Indeed, there may be entire sincerity in the contention, on the part of the officers of a great system, that any adjustment which satisfies the rival communities which it serves cannot be seriously objectionable from its own point of view. In such degree as this contention may be sincerely advanced, the carrier becomes a relatively unimportant factor in the struggles of rival localities" (Annual Report for 1904, pp. 28, 29).

The efforts of the traffic officials to advance the interests of the localities which they serve will naturally continue. But, if these struggles between localities are permitted to constantly pare down the carrier's revenue, they are a factor of great danger to the success of the carrier's business. It is obvious that they will have that effect if they are to be turned over to the Government for adjustment, without interest or responsibility upon its part save to appease excited litigants.

This demand for absolute equality among localities can never be entirely satisfied. If under any conceivable form of statute the Commission could accomplish this, it would still be very questionable whether that result would be altogether desirable, as it would tend to destroy the active spirit of enterprise which is necessary to commercial progress.

"It is idle to look forward to an adjustment of rates which, as applied to localities and differently circumstanced persons, will bear no heavier upon one than upon another. Such mathematical equality is manifestly unattainable through human endeavor. Not even common control of all railways through consolidated ownership or government purchase could accomplish such a task of equalization for thousands of places and millions of persons. Certainly, the much-vaunted theory of uniform charges for all traffic would, under the greatly diversified conditions which now prevail throughout the country, have the opposite effect, and inflict greater discriminations than arise under the existing general practice of fixing charges which attract traffic to the various lines. *Uniform rate per mile on all traffic for any distance would arbitrarily limit commerce to sections and greatly restrict production*" (Annual Report for 1893, p. 218). "Trade is no longer limited to circumscribed areas; distance hardly ever bars the making of commercial bargains between widely separated parties, and almost every article of commerce finds the competing product of another region in any place of sale. The consequence is that the products of the farm, the forest, the mill and the mine are continually demanding from carriers rates adjusted to values in particular markets. It is this competition of product with like product, of market with market, that has induced carriers, in their eagerness to increase the volume of their traffic, to

continually reduce their rates to market points. Such competition is the competition of commerce itself; the strife between competing industries which the public interest demands should be left free from fettering laws and uncontrolled by restraining combinations" (*Id.*, p. 219).

In States where railroad commissions have power over future rates, questions of alleged discriminations between localities and classes of traffic are as frequent and acute as ever. Like all commercial questions, these matters are best settled between the parties. The foregoing expressions show that the carriers, in general, use their best efforts in the premises. And the record proves that the present remedies have not been insufficient. It will shortly be shown in detail that since the Interstate Commerce Act was passed, contested cases of all sorts have been comparatively few in number, and that, *with two exceptions, the Commission has been reversed in all of its decisions as to discriminations or preferences of any sort which have been passed upon by the courts.*

The facts, therefore, show no necessity for seizure by the Government of control over railroad property in order to prevent undue discrimination or unjust or unreasonable preference.

But the most serious question is how the power to make future rates would be exercised.

The views of the Commission in that regard are expressed in its annual reports as follows:

"To give each community the rightful benefits of location, to keep different commodities on an equal footing, so that each shall circulate freely and in natural volume, and to prescribe schedule rates which shall be reasonable, just to both shipper and carrier, is a task of vast magnitude and importance. In the performance of that task lies the great and permanent work of public regulation" (Annual Report for 1893, p. 100). "No one who understands the intricacies of transportation would care to assert that the determination of a just rate or the decision as to what constitutes discrimination is an easy task. To some extent, the principles upon which taxation rests must be allowed in fixing a just rate; to some extent, the result of the rate upon the development of industries must be taken into the account in all decisions which the Commission is called upon to make; to some extent, every question of transportation involves moral and social considerations, so that a just rate cannot be determined independently of the theory of social progress" (Annual Report for 1895, p. 59). "Within certain limits it is good policy for the railway manager to increase

his tonnage, even at the expense of reducing the rate per ton. Just how far this rule applies no one can tell. The merchant who buys an article for a definite price knows when he sells it whether he makes or loses by the transaction; and the manufacturer, as a rule, has a pretty accurate idea of the cost of production; but the railroad operator cannot ordinarily say whether he should or not as a matter of policy take traffic at a certain price" (*Id.*, p. 17). "The freight rate is a complex problem when applied to almost all competitive traffic. Very few people not acquainted with the subject have any idea how difficult the solution of that problem is" (Annual Report for 1898, p. 15). "It is often difficult to say what constitutes a reasonable rate, and more difficult to give in detail the reasons that lead to the conclusion reached; although the Supreme Court of the United States has given certain rules by which to test the reasonableness of transportation charges, and although the Commission has endeavored to apply those rules, yet whenever it has interrogated railway officials as to whether or not they are governed by them when making rates of transportation, they have invariably answered in the negative and said that to do so would be impracticable. The carriers do not apparently possess the necessary data for that purpose, and there is at present no other source from which the Commission can obtain such data" (Annual Report for 1903, p. 54). "Discriminations between localities or classes of traffic can be redressed only by the exercise of sufficient authority to readjust rate schedules to be observed in the future on the basis of relative justice" (Annual Report for 1904, p. 9). "The great bulk of our orders . . . must pertain to the future. They will be orders fixing either a maximum or a minimum rate" (Annual Report for 1897, p. 35). "It is probably near the truth to say that the cases now pending before the Commission directly or indirectly affect almost every locality, and therefore nearly all of the people of the United States" (Annual Report for 1904, p. 29).

In connection with this vast programme of regulation of the affairs of the country generally, it seems proper to mention that during the past year it has been necessary to conduct an official examination of the office of the Commission itself. It is not too much to say that these views indicate an utter absence of any tangible principles upon which the Commission would proceed in endeavoring to establish how much railway property should be allowed to earn; and an equal inability to carry out the rules laid down by the Supreme Court for the protection of the constitutional rights of such property.

The past record of the Commission shows the danger of such a grant of future power. From its creation in 1887 until October, 1904, the Commission rendered two hundred and ninety-seven formal decisions, an average of about seventeen and one-half a

year. Action favorable to the complainants was taken in one hundred and ninety-four, or about fifty-five per cent., of the cases decided, so that the complaints coming before it which the Commission held to be well founded averaged eleven and one-half per annum. In about eighty per cent. of these cases the carriers complied with the Commission's decisions. Since 1887, forty-three suits in all have, however, been instituted to enforce finally the orders of the Commission. Of these only thirty-two have been finally adjudicated. This is less than two cases per annum. In one case the Commission was sustained at circuit and there was no appeal, as the matter was unimportant; in one case it was sustained in part by the Supreme Court. These were both cases of discriminations between localities. In the other thirty cases the Commission was reversed. *This shows two affirmances and thirty reversals.* Within the last few months, in addition to the above, the courts have overruled the two most important decisions of the Commission which were pending—namely, the Nebraska long and short haul case and the case regarding rates on hay and straw.

In other words, about ninety-three per cent. of the decisions of the Commission which have been passed upon by the courts were held to have been erroneously decided. In case, therefore, the Commission had the future rate-making power, so far as its decisions were in force until the courts passed upon them, and unless the court's power of review extended to all questions before the Commission, injustice would be accomplished in ninety-three per cent. of the cases. For this there would be no remedy, because no recovery could be had from shippers whose goods had been carried upon unjustly low rates.

It is constantly claimed that the original rate-making power is not sought, and this statement was repeated in the Commission's report for 1904, just published. The President's annual message, too, said: "I am of the opinion that it would be undesirable, if it were not impracticable, finally to endow the Commission with general authority to fix railway rates." Yet, it is obvious that the legislation now sought would have the effect of giving the Commission complete power over all rates. This point has already been adjudicated. In its annual report for 1904, the Commission said:

"The amendment now recommended would confer in substance the same power that was actually exercised by the Commission from the

date of its organization up to the time when the Supreme Court held that such power did not exist."

The precise effect of this power has been clearly stated by the Supreme Court as follows (167 U. S., 510):

"There is nothing in the act requiring the Commission to proceed singly against each railroad company for each supposed or alleged violation of the act. . . . So that, if the power existed as is claimed, there would be no escape from the conclusion that it would be within the discretion of the Commission, of its own motion, to suggest that all the interstate rates on all the roads of the country were unjust and unreasonable, notify the several roads of such opinion, direct a hearing, and upon such hearing make one general order reaching to every road and covering every rate."

There have been several cases in which the Commission has proceeded very nearly in this way. Among the latest was the Business Men's League case, decided in 1902, which involved substantially all rates from the Mississippi to the Pacific Ocean. The extent of this power may be judged from the fact that there are annually filed over one hundred and thirty thousand tariffs, representing probably at least one million rates; that the gross earnings of the roads last year were slightly under $2,000,000,000, and the capitalization $10,000,000,000, which is dependent for its value wholly upon earning power; that the internal commerce of the country during last year was about $22,000,000,000 in value. It should be plainly understood that the proposed legislation places these vast interests under the full control of the Commission.

Every varied and complicated business must be treated as a whole. It is impossible to dissect it and treat its numerous parts separately in accordance with abstract rules, or, as the Commission says, "moral and social considerations and the theory of social progress." If the future of the business is to be subject to the control of those who have no function save to appease excited litigants, it would be better that such action should affect the business as a whole than that its income should be cut down piecemeal. The claim that the proposed plan has any conservative character, or that anything more dangerous could be devised, is based upon misconception of its real scope. Nothing could be more dangerous to the value of railway property than the system now proposed of committing its future to the control of

persons without interest therein or responsibility for the results of its operation. The danger is that constant reductions, now here and now there, would ultimately destroy the earning power of the property.

The complicated machinery of some of the pending bills for reviewing the action of the Commission as to future rates would be no effectual safeguard. In case the action of the Commission should amount to confiscation, the right to review could not be taken away, because it arises from the constitutional guaranty of property (169 U. S., 546). But the burden would be upon the owner of the property to establish clearly that such was its character, and this would be extremely difficult where isolated rates were involved. It is illusory to suppose that any action of the Commission short of confiscation would be under the control of the courts (174 U. S., 754). Such action would be legislative and not judicial (167 U. S., 505), and probably not subject to judicial review. The Commission has clearly expressed this understanding of the matter. "If the Commission establishes a rate, that is tantamount to an act of the legislature" (Annual Report for 1897, p. 37). As one of the Commission expressed it to a committee of the Senate in 1898, "one doctrine is now settled,—that, whereas the investigation of the question whether an existing rate is a reasonable and lawful one or not is a judicial question, the determination of what the rate shall be in the future is a legislative or administrative question with which the courts can have nothing to do"; another Commissioner said to the same committee in 1900, "the prescribing of a rate is, under the decisions of the Supreme Court, a legislative, not a judicial function, and for that reason, the courts could not, even if Congress so elect, be invested with that authority." Short of confiscation, therefore, the Commission would probably be independent of any courts whatever so far as concerns future rules.

The proposed bills contemplate conferring upon the Commission entirely new power. They provide, either expressly or by implication, that the Commission shall have power to settle "the just relation of rates" by different lines at common points. This would concentrate in a single board power to determine the commercial and industrial future of all the various localities throughout the country. As the Commission has said: "Every com-

munity and every pursuit is so dependent upon the agencies of transportation, so directly affected by the cost of this necessary service, that an inequitable adjustment of rates between competing towns or commodities would produce serious and widespread disaster" (Annual Report for 1893, p. 6). In the Differential case it fixed rates for the purpose of "distributing" the commerce of New York among the ports of the country, in flat disregard of the constitutional provision that "no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another" (Art. I., Sec. 9, subd. 5); on the other hand, it has just held that "it is no part of its duty to equalize differences in the natural advantages of localities through the adjustment of tariff rates" (Annual Report for 1904, p. 45). These varying principles can equally be applied to any locality in the country, as may suit the fancy of the Commission. Paraphrasing the Commission's language, this proposed legislation would "put into its hands the power to determine what localities shall pay, and what receive, tribute" (Annual Report for 1897, p. 45). As ninety-three per cent. of the Commission's orders as to rates which have come before the courts have ultimately been overruled, it is impossible to foretell what havoc would result from the exercise of such powers.

Moreover, governmental rate-making would establish rigid methods of transacting business which would tend to arrest commercial progress. The most effective cause of reduction of rates is the effort of traffic officials to enable their respective shippers to extend their business and constantly reach further markets and consumers.

> "The location of new business enterprises is frequently settled since the passage of the act to regulate commerce, as well as before, not so much by the wishes of those who control them and the advantages for economical production or trade afforded at particular places, as by the favorable transportation rates which railway managers can be induced to put in force" (Annual Report for 1894, p. 57).

This process of development can be continued only through gradual reductions of rates, and in its continuance shipper, carrier and consumer are alike interested. But this process of development will be arrested if the rates are finally subjected to the veto of a body having no substantial interest in the success of the transportation business or of the industries upon the several lines.

Every rate once fixed would be incapable of change without a proceeding before the Commission as dilatory as a lawsuit; and, as the Commission proceeded, the scope of this rigid condition of rates would constantly extend. Every practical man must realize that business is carried on successfully by negotiation and agreement of the parties, rather than by the judgment of any tribunal. "Business by lawsuit" would be a lamentable failure. There is no successful branch of business in which the general future relations of those engaged therein are regulated by third parties, whether an administrative commission or a court of justice.

If, indeed, a condition of absolute equality among different localities could be established at a particular moment of time, it would be temporary only. Industry in this country is intensely progressive, and the perfect equality of one day would probably be the grossest inequality of another. The absence of elasticity in a system of government rate-making is one of its most serious faults; thus the rate-making State Commissions have had to fall back on distance tariffs, on account of their inability to make those delicate adjustments which are constantly made by railway traffic officers. Such rigidity is a bar to industrial progress, and probably accounts, in large measure, for the fact that in the States which have rate-making commissions, the rates are higher under similar circumstances and conditions, than in other States which have left the contract of transportation to unrestricted negotiation between the parties.

This seizure of control of railway property would be merely a step toward universal governmental direction of commerce. Congress is not given by the Constitution any special power over the carriers. The provision is that it shall have power to regulate commerce with foreign nations and among the several States (Art. I., Sec. 8, subd. 3), but the shipper of goods is engaged in interstate commerce equally with the carrier of the goods shipped. The shipper and his business are, therefore, quite as much within the power of Congress as the carrier and its business. Accordingly, the Commissioner of Corporations has just suggested that engaging in interstate commerce as a means of livelihood shall no longer be a right, but a *privilege* to be enjoyed only by those possessing a *license* upon such terms as the Government shall see fit to prescribe. The proposed legislation would, therefore, be in the direction of general socialism, which would affect manufacturers,

shippers and carriers alike and would subject to governmental control the question of what the citizens of the country shall be allowed to earn by the use of their constitutional rights of liberty and property.

These considerations establish that such a system would be full of danger, the extent of which can scarcely be judged.

The substantial usefulness of the Commission has been in the way of settling controversies without litigation. In that way apparently about ninety per cent. of the complaints filed with it have been adjusted. This method is very useful and should be continued.

The question now is as to the remaining ten per cent. which constitute the contested cases. The delay in disposing of them has been due to the proceedings before the Commission. These consist in admitting all sorts of matter presented, irrespective of the rules of evidence (194 U. S., 25), followed by long arguments, opinions by the Commission, and ultimately an order. As the Commission has itself said, these proceedings "bind nobody and go for nothing" (Annual Report for 1897, pp. 31, 33). The Supreme Court has decided that an order of the Commission, under the terms of the Constitution, can have no force as an adjudication (154 U. S., 485, 489). These proceedings before the Commission are, therefore, merely dilatory and serve no useful purpose.

In the courts there is no delay in enforcing any meritorious claim. As already pointed out, less than two cases a year have gone to final judgment since the Commission was organized, and, with two exceptions, they have all ended in defeat of the claims asserted. In addition, the provisions as to procedure in the courts expedite these cases in every possible way. The courts act on as short notice as possible, without formal pleadings or proceedings; the constitutional protection from self-crimination has been removed by statute so that any one can be compelled to testify; cases arising under the statute have preference over everything save criminal cases; individuals or corporations violating the act are subject, whether shippers or carriers, to heavy fines, and the provisions of the act may also be enforced by decree in equity, with subsequent contempt proceedings in case of disobedience, and appeal lies directly to the Su-

preme Court in all cases. It is clear, therefore, that there can be no delay in the courts. The proper course would be for the Commission, when it is satisfied that a case cannot be settled, to resort directly to the courts. This is the procedure under the Elkins Act which has proved successful.

The difficulty at present is that the Commission attempts to act both as prosecutor and judge. It has defined itself as "a special tribunal engaged in an administrative and semi-judicial capacity investigating railway rates and practices" (Annual Report for 1896, p. 71). To these functions it is now sought to add the legislative function of making future rates. It is one of the most fundamental principles of the American constitutional system that the functions of government are divided into three departments, the executive, the legislative and the judicial; and that these functions must be exercised by different public servants. The attempt is to endow the Commission with powers of each of these departments. In that case it would occupy the unique position of exercising all three of the powers of government. With the comparatively simple powers which it now possesses the Commission's administration has been generally unsatisfactory, largely on account of the inherent difficulties of the matter. With a large addition to those powers, utter failure seems almost certain.

The remedy lies in the vigorous enforcement of existing statutes, which prohibit rebates and discriminations; and resort by the Commission directly to the courts without dilatory preliminaries, so as to secure expeditious action by the only branch of the Government which is qualified to administer justice and determine rights of property. This will prevent unjust discriminations and undue or unreasonable preferences. So far as concerns reasonableness of the rates, it is obvious that the present method under which the Commission has power to pass upon existing rates has been effectual. But governmental future rate-making would play havoc generally, and "business by lawsuit" would be intolerable.

DAVID WILLCOX.

PASSIVE RESISTANCE IN ENGLAND AND WALES.

BY THE REV. JOHN CLIFFORD, D.D.

It is difficult to believe that, at the beginning of the twentieth century, Englishmen of high character and indisputable loyalty are being sent to prison for exactly the same reasons as those which were urged for committing John Bunyan to Bedford Gaol; for exposing Richard Baxter to the browbeating of Judge Jeffreys and a sentence of eighteen months incarceration; and for sending George Fox to the noisome dungeons of Carlisle and Derby, Lancaster and London. Americans cannot credit it. The Colonists of Canada and Australia say, "Can these things be?"; and even Englishmen would never accept the humiliating conclusion, if they were not confronted with the undeniable fact.

The fact is that nearly one hundred freemen of England, respectable and God-fearing citizens, have been sentenced to different periods of imprisonment since November, 1903. One of the first "criminals" was an old and feeble man who had served in the ministry of the Primitive Methodist Church for nearly forty years. His reputation was without a stain; and he was loved by those who knew him as a saint; but he refused to pay the "Poor Rate," or, more accurately, the rate for the maintenance and up-keep of sectarian schools, and therefore he was sent to prison, "weighed and stripped, put on prison fare, and sent to a plank bed"; and, as he bade farewell to a group of friends who were at the doors of his prison-house, he said, "I hope this will be the last time any man will be imprisoned for conscience' sake."

He was the first, or second, to appear at the gates of the gaol "for conscience' sake," but the "last" is still to appear. His sentence was only for six days; but the spirit of persecution expressed in, and liberated by, the Education Acts could not be content with

so slight a penalty. It asked for more. Hence, a young Christian Endeavorer was committed to gaol for a month because he would not pay four shillings and sixpence; and when Alderman O'Connor appeared on the charge that he withheld half-a-crown, one of the gentlemen authorized to administer justice in the King's name called out, "Give him three months," and told the culprit to "put his conscience in his pocket." More recently, the magisterial Bench at Camberwell "decided to double previous sentences," and ordered a fortnight in gaol for a refusal to pay eightpence. Nor do age and long service of the State make any difference. The Rev. Thomas Champness, one of the most distinguished preachers of the Wesleyan Methodist Church, and one of the most successful workers in the villages of England, has been sent to Leicester Gaol twice; and, though he is a very old man, the indignities were increased on his second visit. Nearly all the Free Churches have had their representatives in gaol; and arrangements are being made by others (who feel that, after all, they are made to pay, when their goods are taken from them and sold) to rid themselves of all property, so that they may be in a position to pay with their persons.

Imprisonment is only one phase of this advancing cause; another is that of the public sale of the furniture, pictures and books of those who refuse to submit. The first sale was at Wirksworth, in Derbyshire, on June 26th, 1903; and it has been followed by about 1,600 more, in different towns and villages, all over England. Sometimes as many as 150 "lots" have been offered at one auction. Men and women have suffered gladly the spoiling of their goods, knowing that, in the future of English liberty and English education, they had a better inheritance, although the proceedings have often been most costly. Men earning a pound or twenty-five shillings a week have refused ninepence or a shilling or one shilling and threepence, and found themselves mulcted of seventeen shillings or one pound or even thirty shillings, because they would not be parties to the perpetration and perpetuation of what they regarded as a gross injustice. In one extremely flagrant instance, one hundred pounds' worth of goods were taken for the sum of fifteen shillings, and in many cases fidelity to conscience has meant loss of trade and of position. The resisting farmer is refused the renewal of the lease of his farm. The tailor who has become obnoxious by his witness to the

authority of conviction is told that he cannot be trusted to make a clerical coat, unless he will help keep up the clerical school. The gardener is dismissed, though admittedly trustworthy in every way. A recent letter from the south of England says:

"Boycotting goes merrily on. In one village near here, a Resister has lost a customer of ten pounds a year. In another a tradesman has had to put up his shutters for the offence of opening a Gospel hall in a private preserve of the Church. A few more turns of the screw and—one of my friends who has lost Church custom tells me—he will have to do the same. This man declares that, if it does come to that, he will follow the Pilgrim Fathers to a freer land. Another shows me a letter from a clerical customer stating bluntly that he will deal no more with him. 'I prefer a man who minds his own business.' None of the Resisters are men of hot speech. Still, the resistance grows, and grows most in the realms of the 'boycott.'"

At a cost unimaginable by dwellers in the crowded towns the people of the villages have borne their witness, confronted the scorn and opposition of those who knew them best, and whom they had to face day by day, content to suffer so that they might be true. Sieyès said in a dark day, "The title deeds of a man's rights are not lost. They are preserved in his reason." The villagers of England have affirmed the indefeasible rights of the human spirit. The harvests of conscience increase. Each sale is followed by a public meeting of indignant protest, and fuel is added to the white-hot fires of resistance.

Nor does this show the entire range of our agitation. No less than 40,000 summonses have been sent forth by the overseers to compel recalcitrant rate-payers to appear before the magistrates and "show cause" why they will not pay. These summonses are annual in some cases, in others half-yearly, and in others quarterly; clearly, they are sufficiently frequent to keep the movement before the public. But what has aided the cause most, and made its advance independent of organization (though we have a Central Committee in London and over 600 Passive Resistance Leagues in the country), is the action of the magistrates. Some of them, it must be stated first, have been Passive Resisters themselves, and have again and again left the Bench to stand in the dock of the "criminal"; others, though they have remained on the Bench, have expressed their opposition to the Act, their desire for its speedy alteration, and their sympathy with those who

conscientiously refused to pay. Others have resigned their magisterial dignity rather than have anything to do with such offensive statutes. But the majority of the English magistrates are Tories and Anglicans, and they have not sought to administer the law, but, as one of them said, "to make it hot" for Resisters. They have been unfair, menacing, rude, offensive and turbulent. Passion, scorn, pride, bigotry, have occupied the judgment seat. Resisters have been instantly suppressed. Drunkards, wife-beaters, have been accorded the fullest opportunity of explaining their conditions, but Passive Resisters have not been allowed to open their lips. Venerable women of fourscore, with silver hair, and tender voice and saintly mien, known to be foremost in all good works, have failed to win respect. But, as Dean Church said, "The note of failure is on this mode of repression." It suggests a bad case, compels inquiry, elicits sympathy and prepares the mind of the objector for a fresh point of view, and so the harshness of the judge becomes an effective aid to our cause.

The question of the number of the Resisters is, however, entirely inferior to that of their character and position. They are not "pantomime martyrs," as a leading politician suggested, nor "anarchists," of the vivid but biassed imagination of the Primate; nor even fractious Free-Churchmen disguising an attack upon the Anglican Church under the pretext of refusing to pay a sectarian rate! No! as Dr. Forsyth, the Principal of Hackney College, says, "Passive Resisters are not cranks with a passion for martyrdom, but men who are expressing the collective conscience of the Free Churches." Foremost in the ranks are such men as the Rev. F. B. Meyer, President of the National Council of the Free Evangelical Churches of England and Wales, and Dr. Horton, his successor in that important position; the Rev. R. J. Campbell of the City Temple, Dr. Campbell Morgan of Westminster, the Rev. J. H. Jowett of Birmingham, the successor of the late Dr. Dale, and Dr. Robertson Nicoll, the foremost journalist of the day, and editor of the *British Weekly*. But the Resisters belong to all classes and ranks. They are clergymen and ministers, journalists and teachers, manufacturers and magistrates, Members of Parliament and candidates for Parliament, farmers and gardeners, aged women and young men. In fact it is not too much to say that they belong to, and represent, a class which is the strength of our country, whose predecessors "followed the gleam" of truth and

freedom to the New World; who have given cleansing and permanence to its institutions in the past, and are among the best pledges of its future; men in whom loyalty to conscience is a passion and devotion to liberty a religion. Never could a movement more confidently leave itself to be judged as to its motives, its soul and inspiration by the moral and intellectual qualities of those who uphold it than the present Passive Resistance movement in England and Wales.

The prominent features of this singular situation are brought home to us more powerfully by what is taking place in Wales. The space at my disposal does not permit me to describe it; but I may say that the uprising in Wales is national rather than personal; and the fight is being waged by a whole people through their elected county representatives rather than by individuals. The antagonism to the invasion of conscience by Parliament is most resolute, determined and unsubduable. In the election immediately following the promulgation of the Act, the Progressives, who are the opponents of the policy of paying for Church education from the rates, were increased by 187, and their majority in the Counties went up to 482; practically annihilating the party of sectarian education in Wales. Nor was the victory local. It embraced the entire Principality. The Government was hopelessly beaten. In the next Parliament, the Cabinet, goaded by the Bishops, returned to the attack and passed, by entirely unconstitutional methods, a special statute ("The Defaulting Authorities Act") to subsidize sectarian schools from the rates, in spite of the will of the chosen representatives of the people. But it is in vain. Wales resists more fiercely and unitedly than ever. The Government dare not coerce. So they stand over against one another, the people of Wales, and the Tory Government. What will happen this year, no one knows. One party will give in; and, so far as I can see, it will not be Wales.

A question that goes far deeper than any of these points as to the number, character and range of the Passive Resistance agitation concerns the bed-rock of principle on which it rests. What is that? What is the soul of the movement, what the secret of its spontaneous march? How came it into existence?

To answer these inquiries it is necessary to explain one or two of the facts and features of the English system of education. First, it must be remembered that it was not till the year 1870

that our legislation made any really effective provisions for elementary education on a national scale. Prior to that time, the dominant notion subordinated the education of children to the interests of the Church, and treated it as contributory to the influence of the Church. This position had become intolerable in 1870. The ignorance of the people was appalling, and the demand for organization and efficiency strong and clamant. Other countries were advancing in educational equipment. England was being left behind. Something must be done. The task was a difficult one; but it was attempted, and the Government certainly secured a small reform. John Morley said:

"At the same time, it was clearly agreed among the government and the whole of the party at their backs, that at some time or other, near or remote, if public instruction was to be made genuinely effective, the private, voluntary, or denominational system would have to be replaced by a national system. To prepare for this ultimate replacement was one of the points to be most steadily borne in mind, however slowly and tentatively the process might be conducted. Instead of that the authors of the Act deliberately introduced provisions for extending and strengthening the very system which will have eventually to be superseded. They thus by their small reform made a future great reform more difficult of achievement."

That far-sighted statement is abundantly verified. The Act did not proceed on exclusively national principles; but endeavored to propitiate the clerics. It ought to have expelled the churches, as churches, from all state education as the United States of America and our Colonies have done; still, it must not be forgotten that, even that Act provided that the sectarian teaching should be paid for by the denominationalists, and not by citizens, as citizens. Before 1870, schools were recognized as denominational by the Government; the inspectors examined the religious teaching, and the grant was paid for that as much as for anything else. Hence, the Bishops claimed the right to test the inspectors. The inspectors were denominational, and were appointed subject to the recommendation or veto of their respective denominations. But the Act of 1870 changed all this; and our national system of education was made absolutely secular. Mr. Gladstone said on June 24th, 1870:

"We shall take care that under no circumstances shall the public grants be allowed so to operate as entirely to supply, together with

schoolpence, the sum necessary to support those schools, and that there shall always remain a void which must be filled up by free private contributions, and, without which, failing other sources of assistance, those schools would no longer deserve the character of voluntary."

So that the citizens, as citizens, were not to pay for sectarian teaching. But even this admission of the justice of excluding sectarian teaching from public support did not satisfy the Free-Churchmen of 1870. The leaders of that day protested against what seemed to them the perilous conditions under which the principle was to be applied. The support of the sectarian school was to come in part from the citizen and in part from the Churchmen—*i. e.*, to the extent of one-third for teaching the Catechism and Liturgy of the Church of England, and to the extent of two-thirds from fees of parents, endowments and public funds. But the subscriptions of Churchmen have been a diminishing quantity, and the encroachments on the public funds have gone on and on until the sectarian schools have derived from the pockets of the citizens nineteen shillings out of every twenty spent. Nor was this enough. The cry for the rates in addition to the taxes has been going up from the clericals for years. But they were warned by the late Archbishop of Canterbury not to attempt it, for as surely as they succeeded they would lose their control of their sectarian schools. They would be on the "slippery slope," he said, in a characteristic phrase. However, they have taken the plunge, and the Education Acts of 1902 and 1903 are the results.

Those Acts destroyed the School Board system of 1870; and opened the doors for the control of the clerics in what had been thoroughly democratic institutions; they continue and aggravate the wrongs inflicted on the teaching profession (and on the nation) by subjecting its members to ecclesiastical tests, and inflicting an injustice on citizens by making entrance into a department of the Civil Service impossible except by the avowal of particular theological opinions; thus 16,000 head-masterships are closed against all but Anglicans. They deprive women of the right, conferred by the Education Act of 1870, of offering their services for the administration of the education of more than a quarter of a million girls in our cities and of two millions of girls and infants in the country. They place the sectarian schools of Anglicans and Catholics directly on the rates. Every citizen is

forced to contribute to their up-keep; the payment of teachers, of "Nuns," and "Christian Brothers," and Anglican teachers, is derived from the rates and taxes, just as the payment of the police or of the officials of the Borough Councils. Furniture, books, machinery, Prayer-books, crucifixes, images, light, heat are all paid from the rates. Some of those books our money provides charge Free-Churchmen with being "schismatics," "heretics," and the teachers are trained to represent to the children of Free-Churchmen that the churches of their fathers are not "churches of Christ at all"; and that their existence is opposed to the teaching of the Scripture and to the good of the country. The Positivist, Mr. Frederic Harrison, says no more than the literal truth when he asserts that: "No honest mind can refuse to see that the main object, and certainly the sole result, of these Acts was to enable Catholics and Anglicans to triumph over Non-conformists."

Now, it is for that process we cannot and will not pay any rate whatever. We object to many of the provisions of the Education Acts. They are anti-democratic, unfair, unjust; they are destructive of educational efficiency and social peace; but the one thing that has created the Passive Resistance movement is not the destruction of the School Board, not the loss of popular control, but this intrusion into the realm of conscience by the State. That is the prime factor in this situation. To that "we will not submit," declared Dr. Fairbairn to Mr. Balfour when the Bill was before the House. In short, we say with Bunyan to our persecutors, "Where I cannot obey actively, there I am willing to lie down, and to suffer what they shall do unto me." For, as Dr. John Owen says, "Conscience is the territory or dominion of God in man, which He hath so reserved to Himself that no human power can possibly enter into it or dispose it in any wise." That is our case. Conscience must be free. The illuminated conscience must act. Fidelity to conviction is the life of the individual and the security of states. Regard for principle has been the liberation of moral energy and the source of exalted character. It is a religion, a religion of conscience, and it is irresistible. It does not wait the bidding of committees, or change at the mandate of courts, or heed the crack of the whip of Bishops, or truckle to priests. It acts instinctively, spontaneously, and with the swiftness and certainty of a law of nature.

Mr. Lloyd George speaks for England as well as Wales when he says:

"I oppose this Education Act, not because it was passed by a Conservative government, but because it transgresses the essential principles of my conscientious beliefs. Had it been passed by a Liberal ministry, I would have opposed it in the same way. If the Liberal leaders agree to any compromise which continues this injustice, I shall fight them as unflinchingly as we now fight the present government. I will be no party to, will never consent to, any arrangement which will necessitate the application of the civil power of the State to the compulsory herding together of the children of the State under the sectarian teaching of the priest."

The force we are fighting, then, is not primarily political. Parliament is only its tool. It is ecclesiastical. "Clericalism is the enemy." The reversal of the broader and more just educational policy initiated in 1870, and the return to the clericalism of the beginning of the last century is due to the change which has taken place in the Anglican Church, in its ideas and spirit, its temper and aims. It is not the tolerant and inclusive church of the days of Lord Shaftesbury; but the bigoted and persecuting church of the times of Laud and Whitgift. It is a Romanized church; and in and by the English Church Union it is becoming increasingly Romanist. It is that section, the large and dominating section of twentieth-century Anglicanism, that has given us these Acts. It passed seven Resolutions on Education in Convocation: six of them were incorporated in the Bill, adopted by the Cabinet, and passed by a majority that was returned solely to end the South-African War. It is the victory of the High Church party; many of the Low-Churchmen are against it, and the Broad Church party would never have introduced it, as is evident from the sturdy resistance of the Bishop of Hereford.

No! it is the offspring of the Roman theory, and another illustration of the truth of the words of Mr. Gladstone: "Individual servitude, however abject, will not satisfy the party now dominant in the Latin Church. The State must also be a slave." In fact, this fight is a battle of principles that, like fire and water, are in eternal collision. It is no war of this Church and that, of Bishop and priest with minister and deacon, of Churchmen and Dissenters. The real conflict is between ideas and the systems they create for their embodiment. On both sides, the men are honest and sincere, true and devoted; but the collision is far deeper than

the men, though the warfare proceeds through the men, and by the men; they are but the visible garniture of the ideas. The collision is in the constitutive and regulative ideas of the English Church on the one side, and the structural forces and conditions of developing English life on the other. Regal ideas—ideas that mould the character and fix the action of man, as an individual, and as a citizen, and as a Churchman, challenge each other to combat; they have done so through the long course of our educational experiments and compromises, traditions and customs, failures and successes, and they repeat the challenge with fiercest intensity just now. They consist of (1) deeply opposed interpretations of religion; what it is and how it is mediated to the souls of men: (2) different conceptions of education; where it begins, whether in the administration of a rite or in the gentle uplift of the spirit of the child on the wings of human love and character towards truth and goodness; and how it is advanced, whether by the machinery of dogma or by quickening to self-activity: (3) contrary and contradictory ideas of Christian ministry, whether it is priestly, intolerant and exclusive, or catholic and free: and, (4) dominating all, totally opposed notions of the functions and province of the State in relation to religious societies, whether Parliament ought, or ought not, to take in hand the teaching of theological creeds, or the patronage, control and financial support of one such society, or of several, or of all. These are the forces in conflict; and on these matters, the English Church has been, and is, at war, not with the Free Churches merely, but with the mass of the English people outside all churches, and with the Colonies of our great Empire, and also with the advancing life of the world.

The path of duty is clear and plain; we must offer a patient and invincible antagonism to these statutes; we can do no other. We seek the total separation of churches, as churches, and clerics, as clerics, from all State education, elementary, secondary and university. The functions of Church and State must be kept apart, in control, in cost and in every way. Let the churches do their own work at their own cost and as they will: and the citizens do theirs in their way and at their cost and without the interference of the Churches. That is the one and only way to educational efficiency, social harmony and national progress.

JOHN CLIFFORD.

THE PANAMA CANAL—SOME OBJECTIONS TO A SEA-LEVEL PROJECT.

BY BRIGADIER-GENERAL PETER C. HAINS, U.S.A.

UNTIL within a few months, it was generally supposed that it had been definitely decided that the canal to be built at Panama to connect the Atlantic and Pacific oceans was to be a canal with locks. Recently, the discussion of the sea-level project has been revived and the desirability of carrying out the project of a canal with locks questioned. Under the circumstances, it will not be out of place to offer a few reasons why this is not good policy.

No one would think of questioning the great merits of a sea-level canal over one with locks, and yet there is considerable misunderstanding in respect to what a sea-level canal at Panama would be. To the ordinary man, a sea-level canal is one through which vessels may pass without obstruction of any kind. It is generally understood to be an open cut with no locks, like the Suez Canal connecting the Mediterranean with the Red Sea, or the St. Clair Canal connecting Lake Huron with Lake St. Clair. The construction of such a sea-level canal at Panama is not feasible.

At Panama, the south end of the canal, the rise and fall of tide is about 20 feet. At Colon, the other end, the rise and fall is only about one foot; the mean level of the two oceans being precisely the same. The level of the ocean at Panama, therefore, is 10 feet higher at high tide and 10 feet lower at low tide than it is at Colon, and this is the case twice every day. The currents, therefore, in such a sea-level canal would, for most of the time, be so swift that large ships could not be handled with safety. The only way of obviating the difficulties arising from these conditions is to provide a tide-lock. The mean level may then be maintained between the lock and the Atlantic Ocean, and the level on the Pacific side may be allowed to fluctuate 10 feet above

and 10 feet below. The difference, therefore, between a *sea-level canal* and a *lock canal at Panama* is, that the former requires one lock and the latter requires several.

A canal with only one lock is, of course, better than one with several, but how much better? Is it worth $100,000,000 more and ten years delay? If the canal is to benefit the country as greatly as is sometimes claimed, many hundred millions more would be lost because of delay alone. The canal should be opened to navigation at the earliest time practicable. Unnecessary delay will be a misfortune. A delay of ten years will be a calamity.

Suppose some of the prophets fall short in their estimate of the value of the canal. Many people think it will not pay as an investment. It certainly is not probable that it will pay in the first few years after it is open to navigation. Canals do not, as a rule, pay at first. It takes time to establish new lines of traffic. The Suez Canal did not pay at first; and there is every reason to believe that the Panama Canal will follow the ordinary rule.

The construction of a lock canal at Panama will not prevent its ultimate conversion into a sea-level canal should the future demands of commerce require that; while the additional cost, due to the extra cost of excavation, while the canal is in use, can be borne so much better after it shall have been demonstrated that a sea-level canal is necessary. The canal is chiefly for the benefit of future generations. Why not put part of the burden of cost upon them? Why spend $100,000,000 now and delay construction ten years when, possibly, nay probably, a sea-level canal will *never* be required? The passage of a ship through one lock is only in degree less objectionable than its passage through five.

The fear seems to be that, as ships are growing larger and larger, it will only be a comparatively short time when they will be too large to pass through locks that to-day would be quite large enough. It is true that the size of ships has increased with great rapidity in the last few years, and it may be that the limit has not yet been reached. But the locks can be increased in size and the canal otherwise enlarged when the demands of commerce require it. The locks should, of course, be built in duplicate, and when it is found that they are too small, if it ever should be, one at a time could be enlarged or new ones built to take their place. That is the history of all lock canals. At first, for economical reasons, the locks are built to accommodate

the commerce of the day, or what may be reasonably anticipated in the near future. Afterward, when the growth in the size of vessels demands it, new and larger ones are added. The argument against a lock canal is not applicable at Panama, for the reason that it can never be a canal without locks. It must have tide-locks.

The difficulties of passing ships through locks are much exaggerated. All ships have to be docked for repairs, and to dock a ship is a much more difficult operation than to pass one through a lock. With care, there need be no difficulty in locking a ship through a canal. The Manchester Canal is a *ship-canal with locks.* Its commerce is steadily growing. The *Soo Canal is a canal with locks.* The commerce passing through it annually is something enormous. The Kanawha River has been made navigable in its low stages by building locks and dams, converting it practically into a *lock canal.* The Ohio and other rivers in the United States are being treated in the same way.

It has been estimated that the water-supply of the Chagres River is sufficient for a traffic of 40,000,000 tons annually, over three times the tonnage that now passes through the Suez Canal and 10,000,000 tons more than was passed through the Soo Canal during the past year. Who can tell that the tonnage through the Panama Canal will ever reach such figures? When it does, the question of cost of conversion will be of secondary importance.

It is confidently believed that a sea-level canal at Panama will never become necessary, that a canal with locks will furnish all the facilities for vessels of the largest tonnage and greatest draft that will ever come into use; but in view of the uncertain possibilities of future commercial conditions, the canal may be built with a view to its ultimate conversion, if the necessity should ever arise. This can be done without increasing the first cost. In fact, the first cost may be somewhat reduced. Retaining walls in the Culebra Cut were recommended by the Isthmian Canal Commission; but, if the canal be built with a view to its possible conversion into a sea-level canal, these walls should be omitted, as they would interfere with that conversion. The cost of these masonry walls was estimated at about $9,000,000. Their necessity was not fully demonstrated, but in the interests of safety from caving slopes it was thought best to build them. The saving

of $9,000,000 by omitting them would go a long way toward defraying the extra cost of the sea-level canal, if it ever became advisable. The Technical Commission did not think such retaining walls necessary and did not recommend them; from which it will be seen that engineers, who may agree as to their utility, are not of one mind as to their necessity.

In 1887, when he was Chief Engineer of the Canal, Mr. Bunau-Varilla suggested a plan for converting a lock canal into a sea-level one. The plan was gotten up for the benefit of the stockholders of the old Panama Canal Company before it became bankrupt, and had in view the opening of the canal to navigation at the earliest practicable date with locks, and at the same time retaining the idea so tenaciously held by the followers of Mr. De Lesseps of ultimately making it a sea-level canal. It involved some changes in the ordinary arrangement of the lock-gates and in the depth of canal in their immediate vicinity, and provided for excavating, while the canal was being used for navigation, by increments of about five feet. The plan is practicable, and the additional expense for the modifications in the locks should not exceed about $1,000,000. The expense of excavating would, of course, be considerably increased. To carry out his plan, or indeed any plan of conversion, it would be necessary to construct a dam at Alhajuela or Gamboa and create a reservoir in the upper valley of the Chagres, in which the freshet discharge could be impounded and from which it could be discharged into the Atlantic or Pacific ocean.

If the canal be built with locks, more time will be afforded for working out the best solution of the sea-level project. It is not a simple problem of "digging dirt," as some suppose. It involves the study of the most intricate hydraulic problems in taking care of the floods of the Chagres River and the best way of dealing with the Culebra Cut. The first Canal Company was wrecked because it failed to fully investigate these problems in the beginning. It is all well enough to talk about the scandals and extravagances of that company; but, making due allowance for these, there was still left sufficient money to build a canal with locks, if the magnitude of the problems had been fully appreciated and thorough investigation made before the work was started. The new Commission should not be hurried. The problem is too important. It is known now, though it was not

in the beginning, that the Chagres River in high freshets may discharge as much as 50,000 or 60,000 cubic feet of water per second at Alhajuela; that at Gamboa, near where the river strikes the line of the canal, it may be about 20 or 30 per cent. more. This amount of water cannot be taken into the canal, if it be of reasonable dimensions, without destroying it. To divert this water into the Atlantic or Pacific ocean, will involve passing it through a tunnel several miles, at least, in length. What must be the size of a tunnel to safely carry 60,000, or possibly 70,000, cubic feet of water per second? To make thorough surveys and studies for the determination of the best method of disposing of this amount of water in that country will take time and the best of engineering talent. The latter may be in the possession of the Government now, but the former can only be had by delay.

When Congress passed the Act, approved June 28, 1902, providing for the construction of an interoceanic canal to connect the Atlantic with the Pacific ocean, it failed to specify in definite terms what project it intended to have executed. In fact, it is doubtful whether or not Congress had any definite project in view, except that the canal was to have "sufficient capacity and depth" to afford passage for the largest vessels now in use and such as may be reasonably anticipated. A canal may, if built according to one project, cost $100,000,000, or, if built according to some other project, $200,000,000, or $300,000,000. Did Congress intend to leave the question of plan and, therefore, of cost to be determined afterward; or did it intend that the canal should be built in accordance with some definite project? This is a question of immense importance; for, if Congress intended the appropriation for any definite project, the appropriation is available for that project, and that alone.

That the omission to state in specific terms the project it had in mind was an oversight on the part of Congress, would seem to be an unsupportable theory. Such an important matter could scarcely have been overlooked, in view of the long and tedious debates that preceded the enactment. Either a definite project was intended, or the project was purposely left open for the President to determine after a new Commission was appointed. The law provides for a new Commission to construct the canal under the direction of the President, and it may have been intended to leave to him the determination of the project, subject only to

the limitation that it "should afford convenient passage for vessels of the largest tonnage and greatest draft that may be reasonably anticipated." If he is to be held responsible for the faithful execution of the canal project, it is only reasonable to give him a wise discretion in regard to it.

The project of the Isthmian Canal Commission was for a canal with locks. The general width of the bottom of the canal was to be 150 feet, widened in the bends according to the degree of curvature. The summit level was to be carried through the "divide cut" at an elevation that would fluctuate from 82 to 92.5 feet above mean sea-level. A single lake or reservoir was to be formed by the construction of a dam at Bohio, the water of the Chagres River was to be received into this lake and the surplus discharged over a spillway at Gigante, and thence led by diversion channels into the Atlantic Ocean. Harbors were provided at each end of the canal.

The estimated cost of the project was $144,233,358. The amount appropriated and pledged, exclusive of the $40,000,000 to be paid the new Panama Canal Company for their property, privileges, etc., was $145,000,000. It will thus be seen that the estimate of the Commission and the amount appropriated and pledged were almost exactly the same, Congress merely adopting a round sum, in place of the estimate of the Commission which gave the exact figures as they appeared in summing up the grand total.

The same similarity is seen in the figures for the Nicaragua route. The estimate of the Commission for the canal on that route was $189,864,052. The amount appropriated and pledged by the Act of June 28, 1902, was $190,000,000, a round sum, as in the other case.

The wording of the first part of Section 5 is "that the sum of $10,000,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated toward the *project herein contemplated* by either route." This would seem to indicate that Congress contemplated a definite project, though none is specifically mentioned. It is quite possible, however, that Congress may have used the term "project" in its most general sense, meaning a canal project of certain dimensions, and not a definite project. The condition that the canal is to be "of sufficient capacity to accommodate vessels of the largest tonnage

that may be anticipated" would seem to imply that just what would be sufficient was not very clearly defined in the mind of Congress. The Isthmian Canal Commission offered the project of a canal with locks of specified dimensions, which would meet the prospective demands of commerce. Congress did not accept in terms the project of that Commission, nor its dimensions, but seems to have left the matter in such shape that any or all of these might be varied.

One of two things is evident: either Congress intended to adopt the project of the Isthmian Canal Commission or to leave the definite determination of it to the President, subject to the single limitation that the canal shall be large enough to accommodate the largest vessels now in use or such as may be reasonably anticipated.

There are several modifications which are not radical in their nature, do not change any of the dimensions of the canal and actually effect a reduction in cost, which it is believed can be made to advantage under either view of the law.

These modifications are as follows:

First, a reduction in the height of the summit level to about 65 feet above mean tide;

Second, the construction of a dam at Alhajuela or Gamboa, so as to create a reservoir or lake in the upper valley of the Chagres to supply water for the canal in the dry season and regulate the freshets in the wet;

Third, the omission of the masonry retaining walls along the Culebra Cut.

Several important advantages result from a reduction in the height of the summit level. During the dry season which lasts about three months, the flow of the Chagres River is not sufficient to supply the needs of navigation and the losses due to lockage, evaporation, etc. This deficiency is estimated, for a traffic of 10,000,000 tons annually, to be about 3,000 million cubic feet. If there be only one lake, as in the project of the Isthmian Canal Commission, this amount of water must be stored up in it to supply the deficiency. This corresponds to a depth of 3.4 feet in the lake. The latter will, therefore, be drawn down that amount in the dry season, and consequently, the entire summit level must be excavated that additional depth. If, however, this deficiency be supplied from outside sources, as it would be

from a reservoir or lake in the upper valley of the Chagres, the level of the summit could be maintained at the normal without fluctuation.

But the great advantage of the two-lake system consists in the satisfactory solution it gives to the problem of regulating the Chagres River in times of floods. At Bohio, a distance of about twenty miles from the sea, measured on the line of the canal, the discharge has been found to be about double what it is at Alhajuela. It will be readily understood that, if all the water that falls into the basin above Alhajuela could be shut off, the violence of the flood would be reduced one-half; if one-third, its violence would be reduced one-third. The capacity of the upper lake may be roughly estimated by considering it as an inverted truncated cone, with a base of 11.5 square miles and a height of 40 feet, which is within limits. This would give a capacity of about 12,000 million cubic feet. The maximum discharge of the Chagres at Bohio during the largest freshet known was estimated at about 112,000 cubic feet per second for 48 hours. One-half of this is 56,000 cubic feet, which represents the amount that passed Alhajuela. If this had all been held back during the 48 hours, it would amount to 9,000 million cubic feet. It will thus be seen that the entire discharge at Alhajuela could have been held back until the violence of the flood was past, if there had been such a reservoir. But there is no need for holding it all back, because about one-half of what passes Alhajuela could be allowed to run into the lower lake during the continuance of the freshet, without damage to the work and with no inconvenience to commerce. The total amount received in Lake Bohio under this arrangement would have been about 84,000 cubic feet per second. If one-half of this amount were discharged over the spillway, the accretions in Lake Bohio would be represented by 42,000 cubic feet per second. The fluctuations in the level of the lake under these conditions would be only about five feet.

It is understood that recently a good site for a dam has been found near Gamboa, much nearer the canal than Alhajuela. If this be so, the problem of regulation is still further simplified, for the upper reservoir could be very much enlarged by the construction of the dam at that site.

The spillway recommended by the Isthmian Canal Commission

is automatic in its action. The spillway to be constructed under the two-lake project is to be provided with gates. The Stoney system is used on the Manchester Ship-Canal and on the Chicago Drainage Canal, and would answer the purpose here. The automatic system is simpler; but, by means of the gates, the discharge is entirely within control, and this, under some circumstances, might be a matter of considerable consequence. The gate system would be the cheaper in first cost, on account of the shorter length of the spillway and the smaller amount of excavation required to convey the discharged water to the sea; but no estimate has been made of these items, the cost of operation being considered an offset.

By lowering the summit level to about sixty-five feet and creating a second lake or reservoir in the valley of the upper part of the Chagres, the lift of four of the locks can be reduced about eleven feet each. Instead of a maximum lift of 46 feet, they will have a maximum lift of only 35 feet each. This is a great advantage. For, though there is little difference so far as the ship is concerned, whether it is lifted 35 feet or 46 feet, after it has once entered the lock, it is not so in respect to the lock itself. A ship of 30,000 tons striking the lock wall, even though it be moving slowly, will set up strains, the effects of which cannot be calculated. Theoretically, there is no more trouble in designing a lock of 46 feet lift than there is in designing one of 35; but, practically, there is difficulty in constructing and operating it. All the defects of workmanship and material are exaggerated as the work is enlarged; and, if anything gets out of order, it is more difficult to repair, and the danger of something getting out of order is greater. The reduction in the lift of the locks will effect a considerable saving in their cost. No attempt has been made to estimate the exact saving, but an approximate estimate gives a saving of not less than 15 per cent. in masonry, besides a reduction in other items. As the four locks are estimated to cost about $20,000,000, it is safe to say that the reduction in cost will be about $3,000,000.

The lowering of the summit level eliminates one of the most difficult problems in connection with the canal project, viz., the construction of a core-wall in the Bohio dam. This core-wall was adopted by the Isthmian Canal Commission, partly in the interest of safety and partly to prevent seepage under it. The

dam proposed was an earthen one, but the sandy clay foundation, on which it was to rest, was underlaid by varying strata of sand and clay; and, inasmuch as it could not be determined with certainty whether or not the sand strata extended to the surface on either or both sides of the dam, the only safe course was to assume that they did, and to provide for cutting off seepage by a core-wall of masonry extending to the rock. The rock was found in places to be at a depth of about 128 feet below sea-level, necessitating the use of pneumatic caissons to reach it. The difficulties attending the construction of this core-wall were fully appreciated, but the dam so built was regarded as perfectly safe, and all seepage, whether it might prove to be great or small, would be cut off. It is reported that recent borings at the site of the Bohio dam have shown that the rock in some places is over 160 feet below tide. If this be so, the masonry core-wall may be considered as impracticable, for pneumatic caissons could not be used to that great depth. Consequently, the dam must be built without a masonry core-wall. Under these circumstances, the reduction in height becomes almost imperative.

A masonry core-wall in a low dam is not a necessity. The ample water-supply which the upper lake furnishes will more than replace many times over any loss due to seepage, whether it be relatively great or small. There may, in fact, be no seepage at all. The irregular sandy strata may only be pockets, and this is the most probable hypothesis, judging from the irregularity of the thickness of the strata as determined by the borings. Ordinarily, when a dam is intended to store up a supply of water for a city or for irrigating purposes, the loss due to seepage may be an important matter; but, in this case, it need not be considered.

In respect to time of completion, the single-lake project has the advantage. The Culebra Cut is the feature that determines the time of completing the canal under any plan. It will require about a year to dig the extra depth for the lower level. But, on the other hand, if the canal should ever be converted into a sea-level canal, there will be just so much less excavation to accomplish it. It is not the quantity of material to be removed that gives the Culebra Cut its importance; it is the fact that the work is so concentrated that a large force cannot work there to advantage. Moreover, the excavated material cannot be deposited near by.

It must be hauled to safe dumping-grounds where it will not be washed back into the canal. Already, the low places in the near vicinity of the Cut have been filled up, and now it is necessary to haul the excavated material several miles. The heavy part of the Cut is but little more than a mile in length. To fill this space with contractors and contractors' men would not facilitate work, it would retard it. One would as soon think of crowding workmen at the head of a tunnel. Only a certain number of men and machines can be worked to advantage, and that number is comparatively small.

The Isthmian Canal Commission, as well as the Technical Commission, proposed to give to the slopes of the Culebra Cut an inclination of 45 degrees from base to top, cut like steps in risers and treads, the former to be about twenty feet high, the latter about fifteen feet wide. No special provision was made for drainage. The treads would thus naturally drain to the front, and the rain falling on them would pour over and down the slope of the riser. The water falling on the upper step would be added to that falling on the one below, and this double amount to the one below it. The quantity would thus be multiplied by the number of steps passed. If one inch of rain falls on the upper tread, about two inches will fall on the second, three inches on the third, and so on to the bottom. If there should be as many as ten steps, corresponding to a cut 200 feet deep, and two inches of rain per hour falling, the amount of water on the last step would be 20 inches per hour. Such a rainfall, which is not unusual in that climate, would cause quite a torrent to pour over the lower risers. Gullies would form on the lower risers, even though they should not on the upper ones, and the material, unless it be exceedingly stiff, or protected, would be washed into the canal, and the stability of the slope endangered. To overcome this, it is proposed to make the risers vertical, and drain the treads to the rear, conveying the water falling on them into the canal by pipes at suitable distances. By this system of drainage, erosion will be reduced to a minimum. The stiff material of which the hill is composed ought then to stand without much tendency to wear from the effects of the weather. Slopes treated in this way, even where the material is easily eroded, retain their shape with a considerable degree of permanency. With this system of drainage, it is believed that the

retaining walls can be dispensed with so as to admit of the change to sea-level, should it ever become necessary.

In the two-lake system, a saving of about $3,000,000 in the cost of four locks can be effected; about $4,000,000 in the Bohio dam; about $1,200,000 in the side walls of the Culebra Cut; about $1,000,000 in the extra excavation of the summit level: total, about $9,200,000. From this must be deducted the cost of excavating the summit from 85 to 65 feet, about $6,500,000; Alhajuela or Gamboa dam and appurtenances, about $2,500,000—a total of $9,000,000. The difference is so small as to be negligible; but if the canal be built without retaining walls in the Culebra Cut about $8,000,000 can be saved.

The two-lake project, as herein outlined, is practically the same as the one recommended by the Technical Commission to the Nouvelle Panama Compagnie as the best solution of the canal problem. It, therefore, has the approval of fourteen of the most eminent engineers of the civilized world.

In 1879, under the leadership of Ferdinand de Lesseps, the company known as the "Compagnie Universelle du Canal Interocéanique" was organized to build a sea-level canal at Panama. That company expended about $250,000,000 in the course of ten years and then went into bankruptcy. Under the laws of France, a liquidator was appointed by the court to take charge of its affairs. He appointed a Commission composed of French and foreign engineers. This Commission was known as the "Commission d'Etudes." It visited the Isthmus, made new surveys and studies of the canal project, and in 1890 submitted a report recommending a *canal with locks.*

In 1894, the Nouvelle Panama Compagnie was organized, with a view to investigating the canal project in all its engineering and commercial aspects. The new company called to its aid a Technical Commission, composed of fourteen engineers, drawn from all parts of the civilized world. Some of them were hydraulic engineers of great ability and world-wide reputation. Some had executed the largest canal projects that had ever been undertaken. This Commission, composed of the ablest engineers in the civilized world, after a prolonged and thorough investigation, recommended that the *sea-level project be abandoned* and that a canal be built *with locks.*

The Isthmian Canal Commission, composed of nine members,

six of whom were engineers, was created in 1899 by the President under the authority of the River and Harbor Act, approved March 3, 1899. This Commission, after about two years of investigation, recommended a *canal with locks.*

It will thus be seen that, after the failure of the De Lesseps project for a sea-level canal, and after more thorough surveys and studies, no less than three Boards or Commissions, comprising among its members no less than thirty-one engineers, reported in favor of the *abandonment of the sea-level* project and the building of a *canal with locks.* They may all have been wrong in their conclusions, but the unanimous verdict of these thirty-one engineers, who gave years of study to the problem, should not be set aside, unless new and convincing evidence be found to justify the change. Has such evidence been discovered?

PETER C. HAINS.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: BERLIN: WASHINGTON.

LONDON, *February, 1905.*

THERE is an interest attaching to a fresh session of the British Parliament such as the American Congress, I am told, can never command. Congress makes laws. Parliament not only makes laws but unmakes governments; and it is the ever-present chance that the latter prerogative may be enforced that makes the House of Commons so full of dramatic possibilities and human attractiveness. That attractiveness is still felt, in spite of the steady and progressive decline of Parliament in popular respect and (it is not too much to say) in popular confidence. Within the last twenty years, the attitude not only of the people but of Members of Parliament towards the House of Commons has unmistakably changed. To be a Member of Parliament is still an honor, but not the honor it was. It is a claim to consideration, where it used to be a claim to distinction. It carries with it a position, but the position has been robbed of much of its old prestige. It is a commonplace of English politics that the people no longer read Parliamentary debates. The political instruction of the nation is carried on outside the walls of the House of Commons. Men still look to Members of Parliament for guidance, and guidance is abundantly supplied to them—I know of no country where the average citizen has more or better opportunities of hearing both sides—but it is not from the Front Bench at Westminster, but from the platform at huge popular meetings, as a sort of perambulating lecturer on politics, that the rising statesman, and even the statesman who has already risen, now addresses the country. Again, Parliament nowadays has to compete for popular interest with a new and multiplying host of minor assemblies. There has been within the last twenty years

a vast extension of local government in England. County Councils, Borough Councils and municipalities have not only increased in numbers, but have quintupled their activities. Men who prefer the reality of power to its semblance and its appanages find a readier scope for their energies, can really achieve more, and, above all, can see their achievements bear immediate fruit, if, instead of entering Parliament, they throw themselves into the work of local administration. The sphere is smaller, but its opportunities are more individual; and its duties, as Lord Rosebery has often insisted, at least as interesting and far more intimately related to the welfare of society. But, though a beginning has been made with decentralization, the pressure and the complexities of public business remain more formidable than ever. The widening sphere of local activities has been more than counterbalanced by the growth and insistency of national and Imperial affairs; and the plain fact that Parliament can no longer do its work, that it is hopelessly overburdened and congested and has ceased to be an efficient assembly, lies very near the root of popular impatience and indifference. The record of the last few years, with its blazing proofs of official incompetence, has, I need hardly say, raised alienation to positive and disgusted contempt. The English people have outgrown, perhaps forever, their old innocent and touching faith in the capacity of British Ministers merely because they are British Ministers. They are demanding, almost for the first time in their history, something like a fair return for their money. They feel the need of a higher standard of administration, and they are conscious that Parliament grows yearly less competent to provide it.

Nor is this all. The difference between the outside and the inside view of things political is always great. In England, it is perhaps greater than in any other country. But in this matter of the authority, efficiency and repute of Parliament, I note a most unusual approximation between the views of the average M. P. and the views of the average elector. I have heard in the lobbies of the House of Commons expressions of weariness and discontent at least as whole-hearted as any that are uttered by the man in the street. The more earnest a Member of Parliament is, the more quickly does he become convinced that of all reforms the reform of Parliament is the most urgent. The rights and opportunities of the private member have been almost ex-

tinguished. The Cabinet grows yearly more and more autocratic and the House of Commons more and more subservient. The last eighteen months have abundantly shown that the only question which interests the country can, by a skilful use of Parliamentary forms, be almost denied discussion by the people's representatives. The less crowded times when a measure could be debated clause by clause, almost sentence by sentence, have completely passed by. Nowadays, the closure is automatically applied at the discretion of the Government, whole clauses are voted *en bloc* without debate, and from a deliberative assembly the House is relapsing more and more into an assembly that merely ratifies and registers the decrees of the inner Cabinet. From the point of view of achievement, of the possibility of getting things done, the private member to-day is nothing and the Cabinet Minister, if he belongs to that little group which really constitutes a Cabinet-within-the-Cabinet, everything. I see no way out of the toils, unless and until Parliament relieves itself of the vast masses of purely local business that still encumber its workings, and delegates Irish questions to Ireland, Welsh to Wales and Scotch to Scotland. For matters to continue as they now are must ultimately mean the extinction of Parliamentary government of the old type and the substitution for it of Cabinet Government.

Nevertheless, as I began by saying, the House can still make its attractiveness felt as an arena of passionate personal contention; and, at times when political feeling runs high, it is still able to command the thoughts and interest of the British nation. Such a time is the present. The session that opened on February 14th could only be regarded with indifference by a people that had ceased to concern itself in politics. The mere fact that the reassembling of Parliament found Mr. Balfour's Government still in being is, in itself, one of the wonders of politics. By what desperately dexterous mystifications he has contrived to maintain a Ministry that for eighteen months has been without a majority in the country, observers in America are probably as well aware as we in England. It is at least a tribute to his mastery of the art of political legerdemain that people should be asking to-day the very questions they were asking in 1903. Is Mr. Balfour for or against Mr. Chamberlain? Is his policy of Retaliation a stepping-stone to Protection and Colonial Preference, or something complete in itself, or intended as a shelter in which Free-Traders

may take cover until the storm has blown by? Every possible variety of reply is returned to these queries by Free-Traders, Protectionists and Retaliationists, just as a dozen men will, with equal positiveness, give a dozen different versions of the personal and political relations that exist between Mr. Balfour and Mr. Chamberlain. And such matters but touch the fringe of the vast area of speculation that lies open to every Englishman who takes the trouble to read the newspaper. Mr. Chamberlain, for instance, has let it be known that he favors an early dissolution. His command of two hundred members of the Unionist party gives him the power to force a dissolution at any moment of his own choosing. But dare he use it? Would it be policy to risk the bitterness that would infallibly ensue from any attempt to supplant Mr. Balfour, or to compel him to dissolve against his own wishes? On the other hand, can he agree to an indefinite postponement of a dissolution without a virtual confession that his Fiscal programme has failed?

Such are but a few of the problems that are agitating, not merely the quidnuncs, but men who are usually the most far-seeing of observers; and, after canvassing opinions on many sides, I find myself forced back on the unsatisfactory conclusion that nobody really knows anything. It is just this ignorance as to which, out of a score of possible developments, will be the one to take place, that gives to the present session its peculiar interest. People are prepared for anything. They are prepared for a dissolution next month and for one next year. A final rupture between Mr. Balfour and the Unionist Free-Traders; a final rupture between Mr. Balfour and the Unionist Protectionists; so prolonged and persistent a battering by the Opposition as will make further escape from dissolution impossible; a continuation of the present state of affairs, with each section of the Unionist party claiming Mr. Balfour as its own, with the Government losing by-election after by-election, yet still maintaining a sufficient majority in the House and still able to frame and to pass important measures;—not one of these developments is impossible. There are those who think, not without reason, that the Government will be out in a few weeks, and there are those who are confident it cannot survive the Budget, which falls due in April; but I do not think any one would be greatly amazed if a year hence the position proves not to have changed in any-

thing but the unessentials. There would be, perhaps, surprise, but it would easily stop short of amazement—so flattering an opinion have people come to form of Mr. Balfour's resource in evading pursuit. I do not underrate his difficulties. He has to face an Opposition that is determined to force the fighting, and that is inspirited by the consciousness of having popular instincts and the popular judgment wholly on its side. He has to keep up to the mark some seventy Unionist Members of Parliament, who, for one reason or another, are not seeking reelection, and whose attendance and interest in the affairs of the party only clear and strong leadership could prevent from being intermittent. He has still at any cost to avoid a decisive break, either with the Free-Traders or the Protectionists. He has to beat down the knowledge that he is fighting a losing battle, and that the appeal to the country can only end in his overthrow. Nor is this the limit of the Balfourian sea of troubles. Mr. Arnold-Forster, earnest and energetic though he is, has not shown himself to be the War Minister that we all hoped he might prove. His latest scheme of Army Reorganization appears to be very little of an improvement on those famous Six Army Corps which Mr. Brodrick called into phantom being. There is a battle-royal in progress among the experts as to the merits or demerits of the new Army rifle; and on both these points Mr. Balfour, before the session closes, possibly before these lines are in print, will have to meet the attack of his own followers. Again, the Unionists in Ireland are profoundly dissatisfied. They cannot reconcile themselves to their new position of isolation and abandonment. They complain bitterly that Ireland is being governed in accordance with Irish, instead of English, ideas, and that the Under-Secretary, Sir Anthony MacDonell, a Catholic and a Home-Ruler, is really playing the Nationalist game under the protection of a Unionist administration. They, too, will prove a thorn in Mr. Balfour's side. It seems incredible that he should emerge unscathed from such a concentration of onsets and difficulties. But I do not expect that he will yield easily. He is a Scotchman, and therefore a fighter, and therefore never more dangerous than when he has his back to the wall.

Anglo-German relations are to-day, as they have been for the past ten years, disquieting and unsatisfactory. How much so, may be judged from the recent "scare" over Mr. Arthur Lee's

speech. Mr. Lee is a Civil Lord of the Admiralty and an excellent type of the men who will yet reorganize English administration—efficient, hard-working, large-minded. In a speech to his constituents some days ago, Mr. Lee was reported to have said that, "if war should unhappily be declared under existing conditions, the British Navy would get its blow in first, before the other side had time even to read in the papers that war had been declared"; and he prefaced these words with a statement that Great Britain has now "to keep an anxious eye, not only on the Mediterranean and the Atlantic, but on the North Sea." Mr. Lee has denied that he ever said anything about the British Navy getting its blow in first, and has maintained with perfect truth that the rest of his statement amounted to no more than a general statement of self-evident principles and of facts that had already been published to the world when the redistribution of the British Navy took place. The alarm, however, in Berlin was intense. The German Emperor sent for Sir Frank Lascelles, the British Ambassador, and asked for explanations. Sir Frank telegraphed to Downing Street for instructions, and was told to tender the most ample assurances. There can be no doubt that both popular and official Germany thought, and probably still thinks, that Great Britain may one day plan and carry out a sudden and secret onslaught upon the German Navy. Writing for an American audience, which knows something of British character, history and policy, I need hardly take the trouble to expose the preposterous baselessness of such a notion. On the English side, there is an equally firm conviction that, were the British Navy in difficulties, the neutrality of Germany could not be counted on; and there were certain incidents connected with the North Sea outrage and the sudden withdrawal of large German deposits in the Bank of England that lent undoubted color to the conviction. All cannot be said to be well between two Powers when each believes that the other is only waiting for its opportunity.

ST. PETERSBURG, *February, 1905.*

IT is only the unexpected that happens in Russia at present; and, before the observer has time to gauge its significance, it has generally been followed and sometimes outdone by something more unexpected still. A vortex of amazing changes wearies the

eye and blunts the understanding. To write seasonably, therefore, of current events in Muscovy, one should be a special correspondent or an inspired seer recording one's impressions in urgent telegrams or genuine prophecies. The mere chronicler, however satisfactorily he may "shoot folly as it flies," is left far behind by the swift whirl of events, between which one often misses every trace of a causal nexus. Seemingly, motives have no time to act upon men whom impulse urges forward or drags backward irresistibly. What happens to-day is not the sequel to the occurrences of yesterday, and affords no clue to what will surely take place to-morrow. There is no coherence in things, there is no union among persons, there is no centre, no head, no guiding brain: autocratic rule is become anarchy. The Tsar issues a manifesto or a ukase which promises reforms. The people grumble because the concessions he makes are too slight; but they never doubt that they are real. Indeed, the grudging way in which he doles them out is held to be proof sufficient that they will be realized. And yet the Government, by its deliberate acts, laughs to scorn the Tsar's confession that caprice is supreme and his resolve to set law and justice in its place. For example, Nicholas II had said in his ukase that the mission of the press was to make known to the ruler the needs of the people, and that it would therefore enjoy a corresponding degree of liberty. But, far from relaxing their iron grip, the censors tightened it. Some newspapers were wholly suppressed, others suspended, very many punished. The most "harmless" daily paper or review has now to perform a whole series of rites and ceremonies before it can publish even the simplest illustration. The picture must be sent for authorization to (1) the general censorship; (2) the military censors; (3) the court censors; (4) the ecclesiastical censorship; (5) the department of non-orthodox religious confessions; (6) the chancellery of the Governor-General; (7) the chancellery of the police Prefect; (8) the Ministry of Foreign Affairs. If it passes through all these ordeals unscathed and has not lost its charm of novelty in the waiting, it may be set before the general public, which is obviously unfitted to read articles or see illustrations which the censors can peruse and admire with impunity. And, to crown and summarize this whole system of muzzling, the Emperor's own ukase was suppressed by some Governors in the interior, and the attempts to make it public were for a time thwarted! Instead of

resenting this, however, the Emperor approved it; and, to everybody's amazement, a ministerial circular, issued by the express order of the Tsar, destroyed with a few strokes of the pen the slender hopes of the people, and explained away his own clearly worded statements and definite promises of a few days before.

But the most striking contrast between promise and achievement was offered by the blood-bath of Sunday the 22nd January, known as "Vladimir's Day" because the Grand-Duke of that name was then in command of the "active" troops. The shooting down of unarmed workmen, which there was nothing to excuse, was the first solemn act of the Imperial Government after the Tsar had written that the desire of his heart was to do away with official caprice and establish the reign of law. Over 100,000 workmen, accompanied in many cases by their wives and children, resolved to repair to the square in front of the Winter Palace to petition their "Little Father" the Tsar. Their object was to secure his sympathy and help in their distress, for they had been rebuffed by the bureaucracy; their means were a written petition containing a list of their needs; trust and loyalty marked their disposition. To bring out the peaceful character of the demonstration in still sharper relief, they arranged to march in procession headed by a priest in his vestments and preceded by men bearing crosses and portraits of Nicholas II. They virtually said to their Emperor: "There is no ruler in Russia but you. Hitherto your will has been law even when you willed that hundreds of thousands of your people should perish in Manchuria. Let it now become law in order that we, millions of the men who are the pillars of your empire, should live in Russia. We still believe in you, because we hold that, if you once know the facts, your kindly nature will prompt you to act upon them. And we know that our hope will be fulfilled."

The Tsar, all his advisers, and practically all Russia and the world knew beforehand of the workmen's intention. The educated classes of the capital besought the Ministers to induce the Emperor to receive his people and to keep the troops within-doors on the Sunday. But the Ministers had no eyes or ears for symptoms or advice. One pleaded that it was not his province to interfere; another that he could do nothing because measures had already been devised by the Government and would be taken when the time came. A third refused to receive the deputations.

Nobody could be found in St. Petersburg who could or would admit that he had any voice in the matter. In a word, there was no Government; no head, no Tsar, nothing but anarchy.

When on the morrow the sun rose on hundreds of thousands of workingmen making their slow pilgrimage from the outskirts of the city to the Winter Palace, it shone on a strong military government and upon hundreds of tsarlets. Grand-Duke Vladimir was the supreme commander, and he had appointed Prince Vassiltchikoff to be his factotum. There was no hesitation now, no shilly-shallying or shirking of responsibility. Every one knew his business thoroughly, for it was limited to the shedding of blood. And before they even suspected that their road would be barred, the peaceful people were shot down like mad dogs. No attempt had been first made to disperse them—which a few hundred policemen could have easily done, even without truncheons; in many cases no order was given them to turn back, so that the first intimation they had of what was coming was the blood that dyed the crisp white snow and the moans and shrieks of their comrades that broke upon the Sabbath stillness. The soul-chilling scenes that followed have been hastily described in newspapers; they deserve to be epically depicted in a latter-day Inferno, for they brought back the worst days of mediæval cruelty and heathen heartlessness. Women with child were found among the slain. Babies in their mothers' arms had their brains blown out; passers-by who were hurrying away were pursued, overtaken and hewn to pieces. Fleeing lads were followed into houses, caught on the third or fourth story and shot through the heart. "We must give them a lesson," the Grand-Duke had said. And it was duly given!

The dead were hidden away in hospitals, police stations, the fortress, anywhere; and orders were given to withhold their names. Funerals were announced for the morning, but the bodies were buried hastily at dead of night, and the relatives of the "deceased" are still uncertain whether the missing kindred are living or dead. A journalist who was passing near a crowd was thus shot, snatched away and put under ground. His young wife discovered an unburied coffin with his name on it, and, having got the lid raised by the authorities, found the corpse of another lad inside. Subscriptions for the widows and orphans of the victims could not be collected. It was forbidden to all

and sundry to manifest sympathy or sorrow for the dying or the dead. The newspapers were not allowed to subscribe or receive subscriptions. Money sent from abroad could not be distributed. It was a crime to give or take. Friends who met at night in private houses to discuss the events of the day found themselves surrounded by the police, who raided their dwellings and searched for money and treasonable documents. "Revolution" some people had fondly called the movement. But it was not a revolt, not even a riot, nothing but a "wholesome lesson" administered by Autocracy to the mutinous classes who never know when they ought to feel satisfied. In such terms the official press commented on the events of those historic days. But revolutions have often had smaller beginnings than the episodes that characterized the Sunday of January 22nd on the banks of the ice-bound Neva. Russia was and is in revolution.

The outside world was horrified. A cry of indignation arose from Paris to Peru, from Tokio to Rome. The Autocracy was declared, even by its foreign friends, to have lost its *raison d'être,* and the Russian dignitaries who on parade days in the Winter Palace constitute the Government of the Empire, heard the foreign groans and hisses and trembled. The Grand-Ducal band remained indoors, and not always in their own palaces. The windows of the palace of the Grand-Duke Sergius were smashed. Prince Mirsky drafted an imperial ukase creating a Governor-Generalship, appointed General Trepoff to the post with almost dictatorial powers and had it signed by the Tsar. The principal literary men of St. Petersburg were arrested and hidden away in the fortress, among them all the members of the delegation—including Maxim Gorky—who had petitioned the Ministers to hinder the effusion of blood. Ladies and girls were apprehended, insulted, incarcerated. An order was issued to prepare 500 cells in the various houses of detention, and people spoke with bated breath of the Reign of White Terror.

But again the unexpected happened. The Governor-General, whose character fame described as a mixture of cruelty, stupidity and personal courage, played the part of forerunner of the political millennium. He disavowed responsibility for the arrest of the men of letters. Instead of suppressing liberal newspapers, he tolerated articles more outspoken, more provocative, than the strongest that Prince Mirsky had ever allowed, and, stranger

still, he sent for and cajoled the Liberals, beseeching them to possess their souls in patience for a few days, after the lapse of which he could promise them a new era. The writers, journalists and professors who were interned in the fortress were set free, first one then another, and the cobwebs were allowed to cover the corners of the 500 newly prepared cells. The workmen, too, were received by the Emperor—some threescore of the trustiest and most loyal "hands" for whose good conduct the principal employers of labor could vouch. And, even then, the operatives were not informed that they would be taken to see the Tsar. At first, they were conducted to the Winter Palace in St. Petersburg, where the Emperor was not residing, and then to Tsarskoye Selo, where he pronounced a discourse in which bitter and sweet were curiously mixed. He rebuked their comrades for allowing themselves to be "duped," and declared that he and not the deceitful Liberal party was the workman's friend. The thirty-three operators went home revolving in their minds the things they had seen. The Tsar also assigned 50,000 roubles to the widows and orphans of the people killed by his soldiers, whereupon his humanity and sympathy with human suffering were praised. But, the very day before, that same humanity and sympathy with human suffering displayed by the Tsar's subjects were condemned by the Tsar's officials as crimes against the State. Even morality in Russia is reeling and unsteady.

Sunday's massacre has been regarded as a triumph for the cause of Autocracy. In reality, the crackling of the soldiers' rifles was its death knell. Never again will the relations between the Tsar and the people be as before. As Father Gapon put it: "There is no longer a Tsar." The theory of the Little Father and his devoted people is exploded. There is now but a Russian Nation seeking to better its lot, as the workers of St. Petersburg sought to improve theirs, and the only obstacle they encounter is the Tsar. All Russia has besought him to step aside and allow the people to participate in the government of their country, and many of his best friends, like the Zemstvos, have warned him of the danger of refusing. Several hundreds of professors and academicians in St. Petersburg, representatives of the intellect of Russia, have petitioned him in firm language to grant a constitution. The legal bar of the capitals have put their view on record, that Russia cannot and will not endure the present

anarchy much longer. The Zemsky Assembly of Kharkoff, including the marshals of the nobility and the local noblemen, adopted an address to the Tsar by sixty-six votes against four, in which, congruously with the terms of their oath binding them to communicate to His Majesty everything of interest to himself or the State, they resolved to speak plainly and truly. And this is what they said: "Long years of bureaucratic oppression, violence, arbitrary rule, impoverishment and total disfranchisement of the people, utter violation of the principle of freedom of the person, of thought, of conscience, and of speech, have created a state of things in the Empire which can no longer be endured. These same conditions are bringing down the future storm now pending, of which the first thunderous symptoms are already audible. That tempest is fraught with bloody civil war to our country and with subversion to your throne. Sire, ward off those calamities from the Fatherland before it is too late. . . . Your Majesty, it is not enough to make laws, it is indispensable to see that they are observed, it is indispensable to guarantee to the people its rights, it is indispensable to exercise wakeful vigilance. And no bureaucratic system can accomplish this. Bureaucracy has already forfeited the confidence of the country. Neither is any monarch, however great he may be, able to know everything, to act for all and alone to be responsible before God and the nation for the destinies of his Fatherland. Do not trust, sire, to negligent and wily servants, but repose confidence in the chosen representatives of the nation. Hasten to convoke them to a permanent Chamber endowed with legislative powers, and qualified to see that the laws are not broken, that the Treasury is not robbed, and that the milliards accumulated from the nation's mites are employed suitably and for proper purposes."

From the most out-of-the-way corners of the Empire, similar addresses, petitions, resolutions came in by every post. All thinking Russia joined the opposition and took from the rulers every pretext for affecting ignorance of the state of public feeling and opinion. Government by violence is still possible for a time, but so, too, is opposition by violence—such opposition as put a sudden end to the system of Plehve and Sipyaghin, of Bobrikoff and Johnsson. Force can do much in Russia for and also against the Autocracy, but it cannot make a ruinous system beneficent. You can do anything with bayonets, except sit upon them.

Looking back upon the events of the past few weeks, one is struck with certain features which characterize the revolutionary movement in Russia and differentiate it from analogous movements in all other countries. In the first place, it was not the result of a deliberate plan, not even of a conscious resolve. It was spontaneous, elemental. The ground was so thoroughly prepared by generations of misrule that a general manifestation resulted, as spontaneous combustion does. Every class, every section of society was discontented and had ample grounds for kicking against the pricks. Political electricity was in the air, and it was felt that anything, anywhere, might attract it and unleash the storm. The proximate cause was insignificant in itself. A petty dispute between operatives and employers, in steel-works outside St. Petersburg—a misunderstanding which could have been settled in ten minutes—was the origin. The operatives, strange to say, were all members of an ultra-loyal association, founded by the police as a dam to keep back the Socialist and revolutionary current amongst workingmen. The members of the union were allowed to meet, to make speeches, to have a private theatre, to read books and newspapers, and to count on Government support in disputes with their employers. These were some of the heavy bribes paid for their political loyalty.

The leader of these police myrmidons was an Orthodox Russian priest, George Gapon—a semi-educated, fanatical individual, who is capable of kindling heroic fire in the breasts of the crowd, but is no born leader. He grew, mentally and morally, together with the events of the moment, until he attained the proportions of a popular hero. As a matter of fact, his intellectual and ethical greatness have been enormously exaggerated. In the course of three days, Father Gapon imparted to the economic movement a political tinge. As the authorities had refused to grant the workmen's original demands, alleging that political obstacles stood in the way, Gapon answered: "Then the political obstacles must go." But only to that extent was the demonstration political. Russian men of light and leading in literature, journalism, science and art had no appreciable influence upon the agitation. There was no point of contact between the two groups. Even among the "Intellectuals" themselves, there was no unity, no organization, no plan. They sat and talked, and did nothing but prove to the world their utter inexperience in

matters political. Among them all, there was not one leader. The authorities are said to have suspected a number of them forming a Provisional Government. They might as well accuse them of hatching a plot to introduce the religion of ancient Egypt among the subjects of the Tsar. It was pathetic to look upon their helplessness.

The whole movement, then, was spontaneous, peaceful, loyal. A clever minister would have utilized it to prop up the Autocracy. But the authorities in St. Petersburg had it arrested by measures which history will classify with those taken at Blagoveshtshensk and Kishineff. Then the population of Russia openly sympathized with the strikers, and in most of the chief towns struck work or actually took up arms,—as in Riga, Warsaw and elsewhere—against the Autocracy. Even Witte, the ex-Finance Minister, who is charged with realizing the reforms outlined in the Imperial ukase of December, is reported to have exclaimed that in St. Petersburg, on January 22nd, "A crime was committed which neither God nor the nation will ever forgive."

But the Autocrat is still unconvinced. He may, probably will, grant a Zemsky Sobor or Assembly of Notables. But he will not consent to the introduction of constitutional government or the curtailment of his unlimited power. And, so long as he persists in that resolve, Russia will be in revolution. If his rule be upheld by open violence, the opposition of his people will be conducted by secret violence; and the historic happenings of the near future are certain to be direct resultants of the meeting and clashing of these two forces.

BERLIN, *February*, 1905.

THE most significant result of the gigantic strike of colliers in Westphalia is, undoubtedly, the impetus it has given to the movement for the nationalization of the coal-supply. Prussia, as all the world knows, is the classic land of State Socialism. Its Government administers the complicated machinery of the Insurance Laws, superintends the management of immense forests and landed estates, and is one of the largest employers of industrial labor in Europe. All the railways in Prussia are the property of the State, which works them with a single eye to the promotion of the national interests. If there is no rate-cutting in

Prussia, there is, on the other hand, no discrimination and no undue raising of freight charges. The railways, in fact, have been converted into the handmaid of the manufacturing industries, which have profited enormously, both in their home and in their foreign trade, from the scientific regulation of the transport tariffs by a paternal government. Moreover, the surpluses yielded by the railways have contributed materially to lighten the burden of taxation. The advantages of the system are accompanied, of course, by many drawbacks; but, on the whole, the experiment begun by Bismarck has proved a decided success. If a plebiscite could be held on the subject to-day, it would be found that the conception of the railways as a State enterprise has become part and parcel of the national consciousness, and that the idea of a reversion to the principle of private ownership would be distasteful to the multitude. Yet, there has been no widely expressed desire that the State should seek systematically to extend its duties as an employer of labor. Despite the arguments of the Katheder Socialists, who from their professorial armchairs have frequently preached the doctrine of the State-ownership of mines, a deep-rooted aversion has prevailed against the assumption by the Government of responsibilities which would entail the addition of fresh brigades to the already vast host of those who look to the State as the source of their well-being. The change which is now coming over the feelings of the educated classes and the attitude of the Government is a direct consequence of the extreme views enunciated and enforced by the coal magnates themselves. Obviously, the State cannot tolerate the establishment of a private monopoly in coal. It requires coal for its railways, for its navy, and for its army. When, therefore, the Westphalian pit-owners constituted themselves into a vast syndicate, thereby depriving the entire industry of the benefits accruing from individual ownership and competition, the Government endeavored to enter into a compromise with them. It proposed to become a member of the syndicate, and to exercise at least an advisory voice in its affairs. The Government did not, it is true, take the coal-owners into its confidence, but began secretly to purchase shares in the "Hibernia Company," which is one of the biggest partners in the combine. The manœuvre was naturally detected, and the coal-owners declared with one accord that they refused to admit the Government to their ranks. A special meeting of the shareholders

of the "Hibernia" was summoned and its assent obtained to the issue of new and quite superfluous stock, which the Directors reserved for themselves, thus preventing the Government from obtaining a majority of shares. The Directors based their action on the argument that the policy of the authorities was to insert the thin end of the wedge of nationalization into the coal industry. They affirmed that they must remain the sole arbiters of their own property.

And, just as the controllers of the syndicate rejected the co-operation in their enterprise of the Government, so, on the other hand, are they determined to tolerate no interference from the trade-unions. Their contract, they affirm, is with the individual workman and not with a coalition of workmen. In other words, their determination is to deny to the working-man the right of combination which they themselves have exploited to its fullest extent. A similar attitude on the part of the pit-owners was the main reason of the general strike of 1890. The Emperor William then embraced the cause of the men. He received a deputation of their leaders, and informed the masters that their refusal to negotiate with the delegates appointed by the colliers was unjustifiable. The dispute was eventually settled, and the coal trade of Germany—the finest barometer of its industrial prosperity—expanded by leaps and bounds. In the course of ten years it doubled its output. To-day, two hundred and seventy thousand colliers are employed in Westphalia, whereas in 1890 the number was not more than one hundred and twenty thousand. The profits secured by the majority of the pits have been enormous, but there has been no corresponding increase of wages; and, in many cases, the men have been treated with a cynical brutality which goes far to explain the growing insistence of the cry for Government intervention. Only last year, the owners arbitrarily closed several pits which had been worked for generations, and around which the pitmen had built their own dwelling-houses. Thousands of men were thus deprived of their homes and sent wandering in search of other work. Not for one moment was it contended that the pits which were closed had been exhausted; but, in pursuance of the syndicate policy, which is to regulate the output, it was deemed advisable to transfer the amount of production allotted to those mines to larger mines, and in this way to effect a saving in the total working expenses. Of compen-

sation to the colliers, whose house property was deprived of its value by the measure, not a word has been heard; but it is not improbable that the Government will now introduce legislation designed to limit the right of owners to close their mines. The contention publicly advanced by the mine-owners, "We can do what we like with our own property," cannot, it is felt, be allowed to pass unchallenged by the State. It was in the spirit of that contention that the Directors of the Bruchstrasse pit, about the beginning of the new year, ordained the extension of the time to be spent by the men underground. The illegality of the order being obvious, it was withdrawn, but only to reappear shortly afterwards in another form. The men were touched on the quick of their grievances. For years they have complained of the loss of their "inherited right to an eight hours' working-day." At present, they work nine and often ten hours underground, and the tendency, unhappily, is not to reduce but still further to increase, by means of extra shifts, the duration of their daily employment.

Here we touch upon a vital point of difference between masters and men. The men contend that their duties actually begin when they enter the shaft. They point out that the exertion entailed by the long journey along dark and narrow passages, to and from the face of the seam, is quite as exhausting as the process of cutting the coal. And as the shafts grow deeper and the number of colliers employed more numerous, so does the time expended in this operation tend to extend. But the masters, far from admitting the justice of the views thus enunciated, have given the colliers to understand that they must expect in future an even greater measure of severity. That was the meaning of the proclamation posted up in the Bruchstrasse pit announcing that the "*Seilfahrt*," or passage up and down the lift, would, after the first of February, occupy from half to three-quarters of an hour longer than has hitherto been the case. No sooner had that notice appeared than the colliers began to strike. The trade-union leaders, who are credibly reported to have planned a general strike for the spring, seemed powerless to stay the movement. Within a week, nearly seventy thousand men had ceased to work. Confronted by this situation the trade-unions—both Social Democratic and Christian—decided to formulate their demands. They did so in the humblest manner. Their communication to the Mine-

Owners' Union, like the memorable despatch of the Japanese Government to St. Petersburg, may have been an ultimatum in substance, it was far from being one in form. All that the trade-unions requested, with the "most devoted" expressions of their respect, was that the masters would assent to a conference for the discussion of the points of difference. The men demanded, they explained, the establishment of a maximum shift of eight hours, including the operation of ascent and descent, but they were willing to continue their labors this year on the basis of a nine hours' shift, if the masters would consent to reduce it next year to eight and a half hours, and in 1907 to eight hours. They further required the abolition of overtime and Sunday labor, excepting for the purpose of rescuing human life or of effecting extraordinary repairs. The third demand of the men had reference to the practice of withholding payment for all trolleys which are found to contain dross as well as coal. It was argued that, in the dim light and in the haste which prevails at the face of the mines, it is often impossible for the workmen to distinguish stone from coal, and that it is only just that they should be paid for the actual amount of coal obtained by them. Finally, the trade-unions put forth on behalf of their members the demand for humane treatment of the colliers by the officials, punishment of any officials who are convicted of abusing or maltreating the men under their supervision, and recognition by the mine-owners of the organizations formed by the men for the protection of their interests.

The reply of the Mine-Owners' Association to the trade-unions was conceived in the spirit of an address by the Russian Emperor to his misguided subjects. The association adopted the standpoint that the colliers had been guilty of illegal conduct in leaving their work without giving due notice of their intention so to do. With men who had broken their contract, the masters could not negotiate. To do so would be equivalent to countenancing their breach of faith. Equally impossible was it for the masters to recognize anything in the shape of trade-unions or workmen's committees. "Our contract," they said, "is with the individual working-man, and accordingly we can only negotiate with the working-man individually. The demand that recognition shall be accorded to the trade-unions is merely designed to promote the interests of the Social Democratic party, which aims at the sub-

version of the existing order of society." The autocratic attitude of the masters was followed on January 18th by the proclamation of a general strike. The proclamation was obeyed by not quite two hundred thousand of the men. The Government, animated by the desire to rescue German industry from the evils of a prolonged and embittered conflict, at once despatched to the centre of the coal district commissioners charged with the task of bringing about a reconciliation between pit-owners and pitmen. It soon appeared, however, that the owners were not amenable to mediation on the part of the Government. They refused even to attend a conference with the representatives of the men to be presided over by the Government commissioner. The men, they said, must return to their work unconditionally or not at all. Words and actions of the owners in fact gave color to the suggestion that, foreseeing the inevitability of a conflict, they had deliberately provoked it at a moment most unfavorable to the prospects of the workers. Unfortunately for themselves, they overstrained the patience of the Government, already considerably irritated by the "Hibernia" controversy. Though at first disposed to re-echo the cry that the strike was the result of Social Democratic agitation, the Government discovered, before a week had elapsed, that the country expected it to intervene, and not merely to mediate, in favor of the colliers. Public opinion, indeed, had worked itself up to a high pitch of indignation against the masters and their claim to dispose as autocrats of their own "property." Even the Roman Catholic Archbishop saw himself constrained to contribute to the strikers' funds. His contribution brought dozens in its train. But, though the funds of the trade-unions swelled gratifyingly, it was generally foreseen that, without Government intervention, their cause was lost; for, as soon as the strikers had exhausted their wages and savings, a sum of more than three millions of marks weekly would be required to keep them and their families from starvation.

The initial rebuff to the masters was administered by the Prussian Minister of Commerce, Herr Möller, who, from his seat in the Reichstag, officially censured them for their uncompromising attitude. The Minister further improved the occasion by testifying that the strikers were innocent of the charges brought against them by the masters, of terrorizing those working-men "who are willing to work." A few days after the delivery of this repri-

mand of the pit-owners, the Government announced that it had decided upon the introduction of legislation designed to remedy the complaints of the strikers. The new Bill, it was explained, would render it impossible for the masters to extend in an arbitrary fashion the time occupied in conveying the men to and from the mines. It would prohibit the system of withholding payment for trolleys of coal containing dross, and restrict the rights of the managers of pits to order extra shifts. Various other grievances advanced by the men, the Government announced, would also be remedied by the Bill. In view of these measures, it is already possible to say that the strike has been successful.

Viewed in the light of history, it may be said that the relations between the Governments of Russia and Prussia reveal in fact nothing more nor less than the existence of a Mutual Insurance Agreement against the effects of Revolutions and Insurrections. It was, therefore, not without a certain symbolical significance that the German Emperor, two years ago, should have addressed to the Prussian Regiment of his Russian brother those impetuous references, which aroused much excited comment at the time, to the duties of soldiers who are called upon to annihilate the "internal enemy." Equally suggestive is the fact that when, in the autumn of 1903, His Majesty considered it incumbent upon himself to exhibit the strength of his army in Posen, the capital of his Polish Province, he invited to the festivities as his most honored guest General Tscherkoff, the Governor of Warsaw. The object of that invitation was, of course, to demonstrate to the Poles the completeness of the agreement subsisting between the Courts of St. Petersburg and Berlin. That agreement was never more cordial than at the present moment, and for this reason, quite apart from contingent possibilities, the sanguinary scenes which are now passing in Russian Poland, as well as in other parts of the Muscovite Empire, are being followed in Berlin with a peculiar intensity of interest. Already, the spokesmen of the German governing classes are identifying themselves, as far as political morals are concerned, with the line of action taken by the St. Petersburg dictators. The mob of January 22nd, they declare, was entirely in the wrong, and the State would have been lost irretrievably if it had shrunk from employing "grape-shot"—Napoleon's unfailing remedy—for the beneficent purpose of correcting the people's perverted sense of perspective. And, in

consonance with this doctrine, the troops in Berlin have been instructed afresh, in the words of the Emperor William's celebrated address of 1891 to his Potsdam recruits, that if—" which God forbid!"—disturbances, similar to those in Russia, should ever occur in Germany, it would be their immediate and sacred duty to make effective use of their weapons in the work of suppression. The Social Democrats, on the other hand, are proclaiming that, " if " they could now give substance and a form to their ideal State of the Future, they would mobilize its armies and with them cross the border in order to aid in rescuing their Russian comrades from the autocratic yoke.

Meanwhile, it is felt, the functions of a good neighbor, which Germany notoriously aspires to be, must be confined to the task of keeping order on the border, and of preventing, so far as possible, the construction in neutral territory of political mines designed to explode with devastating effect beneath the feet of those who represent the existing Russian régime. From this point of view, it is deemed justifiable to impose arbitrary restrictions on the liberty of Russian subjects to establish themselves in German territory, and to admit Russian police spies to positions of authority in the Empire, in order that they may control the actions of those of their compatriots whom it may not be convenient, without definite and positive information, to expel. Within the last few months, a Russian Department has been added to the organization of the Berlin Police—so rapidly has the scope for such work, by the growing indulgence of the Government, been allowed to expand. To the indignant protests of the representatives of the more liberal schools of German thought, who describe such institutions as a prostitution of authority, a deaf ear is turned; for does not the work of Russian spies in Prussian territory come within the terms of the Mutual Insurance Agreement? Moreover, it is argued, the unrestricted importation into Russian territory of revolutionary schemes of organization would tend to weaken still more the existing régime, which just now it is Germany's chief interest to support. For a Russian Empire, debilitated but not exhausted by war, with its centre of gravity shifting ever more to the East, represents to the mind of German statesmanship the ideal of a neighbor; while a Russia, delirious with the fever of revolution, conjures up visions of endless perils, not all of them necessarily associated with Poland.

The German Government has at last succeeded in substituting new commercial treaties for those which were concluded during the Von Caprivi Chancellorship. Count von Bülow is naturally triumphant. He owes his victory to the defeats suffered by Russia in the battle-fields of Manchuria; for it is an admitted fact that, if she had not been in pressing need of financial assistance, Russia would never have consented to swallow the German minimum tariff on cereals. After Russia had capitulated to the terms dictated from Berlin, Austria-Hungary had no alternative but to follow suit; but she did so with intense reluctance and with much vain kicking against the pricks. The new treaties, which will come into operation eleven months hence, inaugurate an era of greatly increased protection in Europe. From the specifically German point of view, their admitted object is to foster the interests of agriculture. Germany, General von Caprivi announced twelve years ago, has become a manufacturing state. For that "discovery" and for the "act of salvation" represented by his commercial treaties, the General was elevated to the dignity of Count by a grateful Emperor. But no Chancellor can hope to retain power in permanent opposition to the landed aristocracy of Prussia; and the simple soldier "without corn or straw" soon lost the favor of his monarch. The historical "act of salvation" has now been crowned by Count von Bülow—with an extinguisher! Germany, says the present Chancellor, is not merely an industrial community; her preeminent interests are agricultural. Accordingly, in his new treaties he has subordinated the demands of the manufacturing industries to those of the Agrarians. The economical theory on which he bases and justifies this policy is the protection of the home market, which, it is argued, is relatively of infinitely greater importance than any foreign market. Great Britain is quoted in this argument as the warning example. She is losing her ascendency as a manufacturing Power, the German economists contend, because of the inadequacy of her home demand. It is true that she has gained a few millions of colonial customers in the course of the free-trade era; but she has at the same time lost millions of agricultural workers, who, if they had been encouraged by a wise system of protection to remain on the land, would to-day represent a body of consumers, considerably higher in value to the manufacturing industries of the United Kingdom than the largest British colony.

WASHINGTON, *February, 1905.*

THE incidents of interest from the view-point of world-politics which have taken place at Washington during the last thirty days are, first, the passage, by an overwhelming majority, of the Esch-Townsend bill reported to the House of Representatives, the bill empowering the Interstate Commerce Commission to fix provisionally under certain circumstances the railway rates for transportation, which rates, however, are subject to review by a newly created Federal tribunal; secondly, the relation provisionally assumed by the United States Executive toward the Dominican Republic; and, lastly, the Senate's practical rejection of six arbitration treaties concluded with European Powers, through its imposition of an amendment which our State Department, very properly, has declined to submit to the other parties to the contracts. As we have formerly mentioned, foreign countries are concerned in the fate of the Esch-Townsend bill, because, if it becomes a law, the measure will enable the Interstate Commerce Commission to fix the rates chargeable for the conveyance of imported articles from the ports of entry to points in the interior of the great American Republic. There is no doubt that American railway companies, viewed collectively, were much opposed to the Esch-Townsend bill; and, assuredly, they had reason to suppose that they had a good many friends in the House of Representatives. Nevertheless, that body was stampeded by the President's popularity; and, when the decisive vote was taken, the champions of the railways were few and far between. Was it possible that even the Senate, which long has been regarded as the stronghold of railway and other corporate interests, could withstand such a tidal wave of sentiment? That was the question which the "Big Four," as the steerers in the Republican majority of the Senate are called, had to ponder over. Was it practicable, they asked each other, to undermine the President's popularity, and sap his reputation for good judgment, so that the Senate might throw out, or postpone indefinitely, the Esch-Townsend bill, without provoking a storm of popular opprobrium? Was it not possible to represent recent Santo Domingo incidents as proofs that President Roosevelt could not safely be entrusted with the power to conclude, without the express ratification of the Senate, special agreements with foreign countries; and, on the strength of such representation, to nullify

the six general arbitration treaties concluded with European Powers, by inserting an amendment to the effect that each special agreement made by our State Department under them must be ratified by the Senate, as if it were a separate treaty? The Senatorial friends of the railways seem to have made up their minds that, in this way, they could so effectually discredit Mr. Roosevelt that their subsequent opposition to his railway-rate bill—the Esch-Townsend bill is virtually his—would be tolerated by the people. Accordingly, they persuaded the Senate to insert by a majority of 50 to 9, in the six general arbitration treaties, an amendment which gutted them of all practical utility, and which our Secretary of State would no more think of proposing to European Powers than he would dream of offering them gold bricks. For what was it that the general arbitration treaties undertook to do? They simply undertook to define with the utmost carefulness and rigor certain categories of international differences, which our State Department should be at liberty by special agreement to refer to arbitration, without incurring the prolonged delay involved in the submission of each particular case to the ratification of the Senate. The treaties simply assumed that the Senate had a right to ratify a compact relating to a specific class of controversies, just as a legislature has a right to make a law prescribing the penalty for a particular category of offences. We venture to predict that the United States Supreme Court would uphold the right of the Senate, under the second clause of the second section of the second Article of the Federal Constitution, to define beforehand a class of international differences any one of which the State Department might be authorized to refer by special agreement to arbitration. This was all that Secretary Hay assumed to do in the six arbitration treaties which the Senate has rejected in their original form, on the plea that their constitutional duty compels them to regard each special agreement concluded under a general arbitration compact as a separate treaty.

There is a widespread and growing conviction among intelligent Americans that, viewed as a matter of abstract law, the Senate's contention is unfounded; and that, even if the plea be technically valid, it is put forward very late, and is prompted, seemingly, by questionable motives. It has taken the Senate fifty-six years to discover that it cannot permit the Executive to apply by a

special agreement, unsanctioned specifically by the Senate, a general arbitration treaty. The Treaty of Guadeloupe-Hidalgo, concluded with Mexico in 1848, contained an arbitration clause even broader than the provisions embodied in the six univocal arbitration treaties negotiated by Secretary Hay. Will it be alleged that a body including, as it did, such men as Daniel Webster, John C. Calhoun, Henry Clay and Thomas H. Benton, was not competent to discern and proclaim the Senate's constitutional rights and duties? Assuming, for the sake of argument, that the Senate, as at present constituted, is better qualified than it was fifty-six years ago to interpret the second clause of the second section of the second Article of the Federal Constitution, how are we to explain the fact that it made no protest when, two or three years ago, our State Department, acting under the arbitration clause of the Treaty of Guadeloupe-Hidalgo, undertook, by a special agreement with the Mexican Government, to refer the disputed disposition of the so-called California Pious Fund to The Hague Tribunal? The special agreement was known to every one; the arbitration which it authorized took place; an award was made and duly carried out; yet not a word of remonstrance was heard from the Senate, which now shows itself so acutely jealous of its prerogative. Again, in January, 1903, while the Senate was in session, it was a matter of notoriety that our State Department had entered into a "special agreement" with the Executive of the Dominican Republic, whereby the claim of the Santo Domingo Improvement Company of New York against that commonwealth was to be submitted to a board of arbitrators, one of whom was to be an American citizen, and another a Dominican citizen, while the umpire was to be Judge George Gray, of Delaware. The award was rendered in July, 1904; and, in pursuance of it, a fiscal agent appointed by our State Department took charge of the custom-house at Puerto Plata, and has since applied its revenues to the payment of the debt due the American corporation. It will be observed that, during two years, the Senate remained an indifferent spectator of a transaction which, according to the position now assumed by it, constituted a serious infraction of its constitutional rights. We add that the Senate, in the exercise of its treaty-making power, deliberately ratified The Hague Convention, although the very gist of that Convention is that, whenever a

given international difference shall fall under any one of several carefully defined categories, the signatories concerned shall by special agreements refer the difference to The Hague Tribunal.

It seems that Mr. Lodge, of Massachusetts, by way of keeping his fellow Senators in countenance, has prepared a paper in which he undertakes to show that, when the Senate emasculated the six arbitration treaties concluded by our State Department (by insisting upon substituting for "special agreement" the word "treaty"), it did what almost every European Government, based on representative institutions—Great Britain is acknowledged to be an exception—habitually does and must do under its organic law. In other words, neither the French nor any other Continental Parliament will—according to Mr. Lodge—ratify an arbitration treaty concluded by its Executive, except upon the understanding that every separate application of the arbitration principle should be embodied in a distinct treaty, and, as such, ratified in conformity to the organic law's provisions. That is what Mr. Lodge means to say, if he means anything by his memorandum. We can exemplify the value of his elaborate array of pretended parallels and precedents, if we take the case of France. Everybody who ever read the organic law of 1875 is conversant with the terms in which the treaty-making power is defined and regulated. It is not true that all treaties concluded by the French Executive must be submitted to the French Parliament for ratification. The most vital of all treaties in the history of the Third French Republic—the Treaty of Alliance with Russia—has never been so submitted. Only treaties dealing with certain carefully specified classes of subjects require ratification by both Houses of the French Parliament. Even as regards those specified classes, it has never been disputed that the French Parliament has the power, by sanctioning a general treaty of arbitration, to ratify in advance any special agreement entered into by the Executive in pursuance of that treaty. If the French Executive should exceed its authority by transcending the prescribed limitations, it would do so at its own risk. Does Mr. Lodge want chapter and verse for our averments? In the first place, when France became a signatory of The Hague Convention, it agreed, with all the formalities of a treaty, that its Executive should have the power to enter into a special agreement to refer to The Hague Tribunal any international

difference that should fall under any of the categories formulated in that Convention. Subsequently, and very recently, the French Parliament has ratified an arbitration treaty with Great Britain identical with the compacts that our Senate has just rejected, a treaty providing that the French and British Foreign Offices might, by a special agreement, refer to arbitrators any controversy which should belong to any of several specified classes. Secretary Hay, for his part, was aware, because he had taken measures to inform himself, that not one of the six European countries with which he had negotiated arbitration treaties, would experience any difficulty in securing a Parliamentary ratification of those treaties—if such ratification were needed—"special-agreement" clause and all. Nor can there be any doubt that he had made known the fact to the Senate Committee on Foreign Relations, to every member of which he had submitted drafts of the proposed treaties, and had elicited an expression of approval from all of the members except one. This is admitted, and the only excuse offered by the members of the Committee for breaking the promise given to the Secretary is that they did not then fully realize the distinction between a "special agreement" and a "treaty." In other words, they plead the baby act.

What is the actual status of the Santo Domingo affair? It is not true that the original protocol of January 20, however desirable it may have seemed to President Morales of Santo Domingo, and however admirable to the eyes of the amateur diplomatists who framed it, was either authorized in advance, or subsequently accepted, by our State Department. On the contrary, it was repudiated the moment its text was inspected. It has never been acted upon in a single Dominican port. Our representative at the Dominican capital was forthwith instructed to negotiate a new agreement, more in consonance with our Government's intentions; and the substituted compact, having been duly signed by our diplomatic agent and the Dominican Minister for Foreign Affairs, reached our State Department on February 15, and, together with a special message explaining its purport, was submitted to the Senate that very day. The agreement, which is embodied in a treaty, provides that the United States shall collect the customs revenues of Santo Domingo, and turn over to President Morales's Government 55 per cent. thereof, to meet the cost of the Dominican Republic's

domestic administration, the remaining 45 per cent. being reserved for disbursement among foreign creditors. The United States covenant, on their part, to respect the territorial and political integrity of Santo Domingo; and it is stipulated that the protocol or treaty shall be approved by the Dominican Congress, as well as by the United States Senate. We do not see how Senators can refuse to ratify this compact, except upon the assumption that the Monroe Doctrine does not pledge us to interpose between European creditors and a debtor American commonwealth, by playing the part of a receiver, and undertaking to collect and pay, not only indemnities due for public wrongs, but ordinary debts arising out of contract. Up to the time when we permitted the blockade of Venezuelan seaports by European creditor-Powers, and allowed them to confiscate a part of their debtor's customs revenues for the payment, not only of compensation for wrongs, but also of ordinary debts, our Government might have argued that, to debts arising out of contract, the maxim "*caveat emptor*" should apply, and that we could not permit European Governments to enforce by violence the satisfaction of such obligations by a delinquent American commonwealth. The Roosevelt Administration, however, was estopped from taking such a stand after it remained an impassive spectator of the Venezuela blockade. There was only one possible loophole of escape from the dilemma in which our Government had placed itself. Mr. Roosevelt saw the loophole, and availed himself of it by announcing in the letter read at the Cuban dinner, an announcement now embodied in the agreement with Santo Domingo, that, if any debtor American republic is to be placed in the hands of a receiver, we ourselves will assume the receivership. As Mr. Roosevelt points out in his special message to the Senate, if we are to guarantee the territorial and political integrity of American republics, and if we are to fulfil our promise that their destiny shall in no wise fall under foreign control, it has become indispensable for us to see that just debts and obligations contracted by these republics be paid, so that there may be no pretext for foreign intervention in their affairs. It is for Senators to say whether they prefer to sanction the President's position, or to provoke a repetition of the Venezuela blockade. The United States must take one course or the other. They cannot pursue any longer a dog-in-the-manger policy.

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NEW ENGLAND: AN AUTUMN IMPRESSION.

IN THREE PARTS: PART FIRST.

BY HENRY JAMES.

I.

Conscious that the impressions of the very first hours have always the value of their intensity, I shrink from wasting those that attended my arrival, my return after long years, even though they be out of order with the others that were promptly to follow and that I here gather in, as best I may, under a single head. They referred partly, these instant vibrations, to a past recalled from very far back; fell into a train of association that receded, for its beginning, to the dimness of extreme youth. One's extremest youth had been full of New York, and one was absurdly finding it again, meeting it at every turn, in sights, sounds, smells, even in the chaos of confusion and change; a process under which, verily, recognition became more interesting and more amusing in proportion as it became more difficult, like the spelling-out of foreign sentences of which one knows but half the words. It was not, indeed, at Hoboken, on emerging from the comparatively assured order of the great berth of the ship, that recognition *was* difficult: there, only too confoundingly familiar and too serenely exempt from change, the waterside squalor of the great city put forth again its most inimitable notes, showed so true to the barbarisms

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it had not outlived that one could only fall to wondering what obscure inward virtue had preserved it. There was virtue evident enough in the crossing of the water, that brave sense of the big, bright, breezy bay; of light and space and multitudinous movement; of the serried, bristling city, held in the easy embrace of its great good-natured rivers, very much as a battered and accommodating beauty may sometimes be "distinguished" by a gallant less fastidious, with his open arms, than his type would seem to imply. But what was it that was still holding together, for observation, on the hither shore, the same old sordid facts, all the ugly items that had seemed destined so long ago to fall apart from their very cynicism—the rude cavities, the loose cobbles, the dislodged supports, the unreclaimed pools, of the roadway; the unregulated traffic, as of innumerable desperate drays charging upon each other with tragic long-necked, sharp-ribbed horses (a length and a sharpness all emphasized by the anguish of effort); the corpulent constables, with helmets askew, swinging their legs, in high detachment, from coigns of contemplation; the huddled houses of the other time, red-faced, off their balance, almost prone, as from too conscious an affinity with "saloon" civilization.

It was, doubtless, open to the repentant absentee to feel these things sweetened by some shy principle of picturesqueness; and I admit that I asked myself, while I considered and bumped, why what was "sauce for the goose" should *not* be in this case sauce for the gander; and why antique shabbiness shouldn't plead, on this particular waterside, the cause it more or less successfully pleads on so many others. The light of the September day was lovely, and the sun of New York rests mostly, with a laziness all its own, on that dull glaze of crimson paint, as thick as on the cheek of the cruder coquetry, which is, in general, beneath its range, the sign of the old-fashioned. Yes; I could remind myself, as I went, that Naples, that Tangiers or Constantinople has probably nothing braver to flaunt, and mingle with excited recognition the still finer throb of seeing in advance, seeing even to alarm, many of the responsibilities lying in wait for the habit of headlong critical or fanciful reaction, many of the inconsistencies in which it would probably have, at the best, more or less defiantly to drape itself. Such meditations, at all events, bridged over alike the weak places of criticism and some of the

rougher ones of my material passage. Nothing was left, for the rest of the episode, but a kind of fluidity of appreciation—a mild, warm wave that broke over the succession of aspects and objects according to some odd inward rhythm, and often, no doubt, with a violence that there was little in the phenomena themselves flagrantly to justify. It floated me, my wave, all that day and the next; so that I still think tenderly—for the short backward view is already a distance with "tone"—of the service it rendered me and of the various perceptive penetrations, charming coves of still blue water, that carried me up into the subject, so to speak, and enabled me to step ashore. The subject was everywhere—that was the beauty, that the advantage: it was thrilling, really, to find one's self in presence of a subject to which everything directly contributed, leaving no touch of experience irrelevant. That, at any rate, so far as feeling it went; treating it, evidently, was going to be a matter of prodigious difficulty and selection—in consequence of which, indeed, there might even be a certain recklessness in the largest surrender to impressions. Clearly, however, these were not for the present—and such as they were—to be kept at bay; the hour of reckoning, obviously, would come, with more of them heaped up than would prove usable, a greater quantity of vision, possibly, than might fit into decent form: whereby, assuredly, the part of wisdom was to put in as much as possible of one's recklessness while it was fresh.

It was fairly droll, for instance, the quantity of vision that began to press during a wayside rest in a house of genial but discriminating hospitality that opened its doors just where the fiddle-string of association could most intensely vibrate, just where the sense of "old New York," of the earlier stages of the picture now so violently overpainted, found most of its occasions—found them, to extravagance, within and without. The good easy Square, known in childhood, and as if the light were yellower there from that small accident, bristled with reminders as vague as they were sweet; within, especially, the place was a cool backwater, for time as well as for space; out of the slightly dim depths of which, at the turn of staircases and from the walls of communicating rooms, portraits and relics and records, faintly, quaintly æsthetic, in intention at least, and discreetly — yet bravely, too, and all so archaically and pathetically—Bohemian, laid traps, of a pleasantly primitive order, for memory, for senti-

ment, for relenting irony; gross little devices, on the part of the circumscribed past, which appealed with scarce more emphasis than so many tail-pieces of closed chapters. The whole impression had fairly a rococo tone; and it was in this perceptibly golden air, the air of old empty New York afternoons of the waning summer-time, when the long, the perpendicular, rattle, as of buckets, forever thirsty, in the bottomless well of fortune, almost dies out in the merciful cross-streets, that the ample rearward loggia of the Club seemed serenely to hang; the glazed, unglazed, gallery dedicated to the array of small spread tables, for which blank "backs," right and left and opposite, made a privacy; backs blank with the bold crimson of the New York house-painter, and playing upon the chord of remembrance, all so absurdly, with the scarcely less simplified green of their great cascades of Virginia-creeper, as yet unturned: an admonition, this, for piety, as well as a reminder—since one had somehow failed to treasure it up—that the rather pettifogging plan of the city, the fruit, on the spot, of an artless age, happened to leave even so much margin as this for consoling chances. There were plenty of these—which I perhaps seem unduly to patronize in speaking of them as only "consoling"—for many hours to come and while the easy wave that I have mentioned continued to float me: so abysmal are the resources of the foredoomed student of manners, or so helpless, at least, his case when once adrift in that tide.

If in Gramercy Park already, three hours after his arrival, he had felt himself, this victim, up to his neck in what I have called his "subject," the matter was quite beyond calculation by the time he had tumbled, in such a glorified "four-wheeler," and with such an odd consciousness of roughness superimposed upon smoothness, far down-town again, and, on the deck of a shining steamer bound for the Jersey shore, was taking all the breeze of the Bay. The note of manners, the note that begins to sound, everywhere, for the spirit newly disembarked, with the first word exchanged, seemed, on the great clean deck, fairly to vociferate in the breeze—and not at all, so far, as was pleasant to remark, to the harshening of that element. Nothing could have been more to the spectator's purpose, moreover, than the fact he was ready to hail as the most characteristic in the world, the fact that what surrounded him was a rare collection of young men of business returning, as the phrase is, and in the pride of their youth and

their might, to their "homes," and that, if treasures of "type" were not here to be disengaged, the fault would be all his own. It was perhaps this simple sense of treasure to be gathered in, it was doubtless this very confidence in the objective reality of impressions, so that they could deliciously be left to ripen, like golden apples, on the tree—it was all this that gave a charm to one's sitting in the orchard, gave a strange and inordinate charm both to the prospect of the Jersey shore and to every inch of the entertainment, so divinely inexpensive, by the way. The immense liberality of the Bay, the noble amplitude of the boat, the great unlocked and tumbled-out city on one hand, and the low, accessible mystery of the opposite State on the other, watching any approach, to all appearance, with so gentle and patient an eye; the gaiety of the light, the gladness of the air, and above all (for it most came back to that), the unconscious affluence, the variety in identity, of the young men of business: these things somehow left speculation, left curiosity exciting, yet kept it beguilingly safe. And what shall I say more of all that presently followed than that it sharpened to the last pleasantness—quite draining it of fears of fatuity—that consciousness of strolling in the orchard that was all one's own to pluck, and counting, overhead, the apples of gold? I figure, I repeat, under this name, those thick-growing items of the characteristic that were surely going to drop into one's hand, for vivid illustration, as soon as one could begin to hold it out.

Heavy with fruit, in particular, was the whole spreading bough that rustled above me during an afternoon, a very wonderful afternoon, that I spent in being ever so wisely driven, driven further and further, into the large lucidity of—well, of what else shall I call it but the New Jersey condition? That, no doubt, is a loose label for the picture; but impressions had to range themselves, for the hour, as they could. I had come forth for a view of such parts of the condition as might peep out at the hour and on the spot, and it was clearly not going to be the restless analyst's own fault if conditions in general, everywhere, should strike him as peculiarly, as almost affectingly, at the mercy of observation. They came out to meet us, in their actuality, in the soft afternoon; they stood, artless, unconscious, unashamed, at the very gates of Appearance; they might, verily, have been there, in their plenitude, at the call of some procession of drums and banners—the

principal facts of the case being collected along our passage, to my fancy, quite as if they had been principal citizens. And then there was the further fact of the case, one's own ridiculous property and sign—the romantic, if not the pathetic, circumstance of one's having had to wait till now to read even such meagre meanings as this into a page at which one's geography might so easily have opened. It might have threatened, for twenty minutes, to be almost complicating, but the truth was recorded: it was an adventure, unmistakably, to have a revelation made so convenient—to be learning at last, in the maturity of one's powers, what New Jersey might "connote." This was nearer than I had ever come to any such experience; and it was now as if, all my life, my curiosity had been greater than I knew. Such, for an excited sensibility, are the refinements of personal contact. These influences then were present, as a source of glamour, at every turn of our drive, and especially present, I imagined, during that longest perspective when the road took no turn, but showed us, with a large, calm consistency, the straight blue band of summer sea, between the sandy shore and the reclaimed margin of which the chain of big villas was stretched tight, or at least kept straight, almost as for the close stringing of more or less monstrous pearls. The association of the monstrous thrusts itself somehow into my retrospect, for all the decent humility of the low, quiet coast, where the shadows of the waning afternoon could lengthen at their will, and the chariots of Israel, on the wide and admirable road, could advance, in the glittering eye of each array of extraordinarily exposed windows, as through an harmonious golden haze.

There was gold-dust in the air, no doubt—which would have been again an element of glamour if it had not rather lighted the scene with too crude a confidence. It was one of the phases, full of its own marks and signs, of New York, the immense, in *villeggiatura*—and, presently, with little room left for doubt of what particular phase it might be. The huge new houses, up and down, looked over their smart, short lawns as with a certain familiar prominence in their profiles, which was borne out by the accent, loud, assertive, yet benevolent withal, with which they confessed to their extreme expensiveness. "Oh, yes; we were awfully dear, for what we are and for what we do"—it was proud, but it was rather rueful; with the odd appearance everywhere as of florid creations waiting, a little bewilderingly, for their justifi-

cation, waiting for the next clause in the sequence, waiting in short for life, for time, for interest, for character, for identity itself to come to them, quite as large spread tables or superfluous shops may wait for guests and customers. The scene overflowed with curious suggestion; it comes back to me with the afternoon air and the amiable flatness, the note of the sea in a drowsy mood; and I thus somehow think of the great white boxes as standing there with the silvered ghostliness (for all the silver involved) of a series of candid new moons. It could only be the occupants, moreover, who were driving on the vast, featureless highway, to and fro in front of their ingenuous palaces and as if pretending not to recognize them when they passed; German Jewry—wasn't it conceivable?—tending to the stout, the simple, the kind, quite visibly to the patriarchal, and with the old superseded shabbiness of Long Branch partly for the goal of their course; the big, brown wooden barracks of the hotels, the bold rotunda of the gaming-room—monuments already these, in truth, of a more artless age, and yet with too little history about them for dignity of ruin. Dignity, if not of ruin at least of reverence, was what, at other points, doubtless, we failed considerably less to read into the cottage where Grant lived and the cottage where Garfield died; though they had, for all the world, those modest structures, exactly the effect of objects diminished by recession into space—as if to symbolize the rapidity of their recession into time. They have been left so far behind by the expensive, as the expensive is now practised, in spite of having apparently been originally a sufficient expression of it.

This could pass, it seemed, for the greatest vividness of the picture—that the expensive, for New York in *villeggiatura,* even on such subordinate showing, is like a train covering ground at maximum speed and pushing on, at present, into regions unmeasurable. It included, however, other lights, some of which glimmered, to my eyes, as with the promise of great future intensity—hanging themselves as directly over the question of manners as if they had been a row of lustres reflected in the polished floor of a ball-room. Here was the expensive as a power by itself, a power unguided, undirected, practically unapplied, really exerting itself in a void that could make it no response, that had nothing—poor gentle, patient, rueful, but altogether helpless, void!—to offer in return. The game was that of its doing, each

party to the whole combination, what it could, but with the result of the common effort's falling so short. Nothing could be of a livelier interest—with the question of manners always in view—than to note that the most as yet accomplished at such a cost was the air of unmitigated publicity, publicity as a condition, as a doom, from which there could be no appeal; just as in all the topsy-turvy order, the defeated scheme, the misplaced confidence, or whatever one may call it, there was no achieved protection, no constituted mystery of retreat, no saving complexity, not so much as might be represented by a foot of garden wall or a preliminary sketch of interposing shade. The homely principle under which the picture held at all together was that of the famous freedom of the cat to look at the king; that seemed, so clearly, throughout, the only motto that would work. The ample villas, in their full dress, planted each on its little square of brightly green carpet, and as with their stiff skirts pulled well down, eyed each other, at short range, from head to foot; while the open road, the chariots, the buggies, the motors, the pedestrians—which last number, indeed, was remarkably small—regarded at their ease both this reciprocity and the parties to it. It was in fact all *one* participation, with an effect deterrent to those ingenuities, or perhaps indeed rather to those commonplaces, of conjecture produced in general by the outward show of the fortunate life. That, precisely, appeared the answer to the question of manners: the fact that in such conditions there couldn't *be* any manners to speak of; that the basis of privacy was somehow wanting for them; and that nothing, accordingly, no image, no presumption of constituted relations, possibilities, amenities, in the social, the domestic order, was inwardly projected. It was as if the projection had been so completely outward that one could but find one's self almost uneasy about the mere perspective required for the common acts of the personal life, that minimum of vagueness as to what takes place in it for which the complete "home" aspires to provide.

What had it been their idea to *do*, the good people—do, exactly, *for* their manners, their habits, their intercourse, their relations, their pleasures, their general advantage and justification? Do, that is, in affirming their wealth with such innocent emphasis and yet not at the same time affirming anything else. It would have rested on the cold-blooded critic, doubtless, to explain why the

crudity of wealth did strike him with so direct a force; accompanied after all with no paraphernalia, no visible redundancies of possession, not so much as a lodge at any gate, nothing but the scale of many of the houses and their candid look of having cost as much as they knew how. Unmistakably they all proclaimed it —they would have cost still more had the way but been shown them; and, meanwhile, they added as with one voice, they would take a fresh start as soon as ever it should be. "We are only instalments, symbols, stop-gaps," they practically admitted, and with no shade of embarrassment; "expensive as we are, we have nothing to do with continuity, responsibility, transmission, and don't in the least care what becomes of us after we have served our present purpose." On the detail of this impression, however, I needn't insist; the essence of it, which was all that was worth catching, was one's recognition of the odd treachery that may practically lie in wait for isolated opulence. The highest luxury of all, the supremely expensive thing, is constituted privacy—and yet it was the supremely expensive thing that the good people had supposed themselves to be getting: all of which, I repeat, enriched the case, for the restless analyst, with an illustrative importance. For what did it offer but the sharp interest of the match everywhere and everlastingly played between the short-cut and the long road?—an interest never so sharp as since the short-cut has been able to find itself so endlessly backed by money. Money in fact *is* the short-cut—or the short-cut, money; and the long road having, in the instance before me, so little operated, operated for the effect, as we may say, of the cumulative, the game remained all in the hands of its adversary.

The example went straight to the point, and thus was the drama presented: what turn, on the larger, the general stage, was the game going to take? The whole spectacle, with the question, opened out, diffusing positively a multitudinous murmur that was in my ears, for some of the more subtly-romantic parts of the drive, as who should say (the sweet American vaguenesses, hailed again, the dear old, nameless, promiscuous lengths of woodside and waterside), like the collective afternoon hum of invisible insects. Yes; it was all actually going to be drama, and *that* drama; than which nothing could be more to the occult purpose of the confirmed, the systematic story-seeker, or to that even of the mere ancient contemplative person curious of character. The

very *donnée* of the piece could be given, the subject formulated: the great adventure of a society reaching out into the apparent void for the amenities, the consummations, after having earnestly gathered in so many of the preparations and necessities. "Into the apparent void"—I had to insist on that, since without it there would be neither comedy nor tragedy; besides which so little was wanting, in the way of vacancy, to the completeness of the appearance. What would lurk beneath this—or indeed what wouldn't, what mightn't—to thicken the plot from stage to stage and to intensify the action? The story-seeker would be present, quite intimately present, at the general effort—showing, doubtless, as quite heroic in many a case—to gouge an interest *out* of the vacancy, gouge it with tools of price, even as copper and gold and diamonds are extracted, by elaborate processes, from earth-sections of small superficial expression. What was such an effort, on its associated side, for the attentive mind, but a more or less adventurous fight, carried on from scene to scene, with fluctuations and variations, the shifting quantity of success and failure? Never would be such a chance to see how the short-cut works, and if there be really any substitute for roundabout experience, for troublesome history, for the long, the immitigable process of time. It was a promise, clearly, of the highest entertainment.

II.

It was presently to come back to me, however, that there were other sorts, too—so many sorts, in fact, for the ancient contemplative person, that selection and omission, in face of them, become almost a pain, and the sacrifice of even the least of these immediate sequences of impression in its freshness a lively regret. But without much foreshortening is no representation, and I was promptly to become conscious, at all events, of quite a different part of the picture, and of personal perceptions, to match it, of a different order. I woke up, by a quick transition, in the New Hampshire mountains, in the deep valleys and the wide woodlands, on the forest-fringed slopes, the far-seeing crests of the high places, and by the side of the liberal streams and the lonely lakes; things full, at first, of the sweetness of belated recognition, that of the sense of some bedimmed summer of the distant prime flushing back into life and asking to give again as much as possible of what it had given before—all in spite, too, of much un-

acquaintedness, of the newness, to my eyes, through the mild September glow, of the particular rich region. I call it rich without compunction, despite its several poverties, caring little that half the charm, or half the response to it, may have been shamelessly "subjective"; since that but slightly shifts the ground of the beauty of the impression. When you wander about in Arcadia, you ask as few questions as possible. That *is* Arcadia, in fact, and questions drop, or at least get themselves deferred and shiftlessly shirked; in conformity with which truth the New England hills and woods—since they were not all, for the weeks to come, of mere New Hampshire—the mild September glow and even the clear October blaze were things to play on the chords of memory and association, to say nothing of those of surprise, with an admirable art of their own. The tune may have dropped at last, but it succeeded for a month in being strangely sweet, and in producing, quite with intensity, the fine illusion. Here, moreover, was "interest" of the sort that could come easily, and therefore not of the sort—quite the contrary—that involved a consideration of the millions spent; a fact none the fainter, into the bargain, for having its curious, unexpected, inscrutable side.

Why was the whole connotation so *delicately* Arcadian, like that of the Arcadia of an old tapestry, an old legend, an old love-story in fifteen volumes, one of those of Mademoiselle de Scudéri? Why, in default of other elements of the higher finish, did all the woodwalks and nestled nooks and shallow, carpeted dells, why did most of the larger views themselves, the outlooks to purple crags and blue horizon, insist on referring themselves to the idyllic *type* in its purity?—as if the higher finish, even at the hand of nature, were in some sort a perversion, and hillsides and rocky eminences and wild orchards, in short any common sequestered spot, could strike one as the more exquisitely and ideally Sicilian, Theocritan, poetic, romantic, academic, from their not bearing the burden of too much history. The history was there in its degree, and one came upon it, on sunny afternoons, in the form of the classic abandoned farm of the rude forefather who had lost patience with his fate. These scenes of old, hard New England effort, defeated by the soil and the climate and reclaimed by nature and time—the crumbled, lonely chimney-stack, the overgrown threshold, the dried-up well, the cart-track vague and lost—these seemed the only notes to interfere, in their meagreness, with the

queer *other*, the larger, eloquence that one kept reading into the picture. Even the wild legend, immediately local, of the Indian who, having, a hundred years ago, murdered a husbandman, was pursued, by roused avengers, to the topmost peak of Chocorua Mountain, and thence, to escape, took his leap into the abyss—even so sharp an echo of a definite far-off past, enriching the effect of an admirable silvered summit (for Chocorua Mountain carries its gray head quite with the grandest air), spent itself in the mere idleness of the undiscriminated, tangled actual. There was one thinkable reason, of course, for everything, which hung there as a possible answer to any question, should any question insist. Did one by chance exaggerate, did one rhapsodize amiss, and was the apparent superior charm of the whole thing mainly but an accident of one's own situation, the state of having happened to be deprived to excess—that is, for too long—of naturalism in *quantity?* Here it was in such quantity as one hadn't for years had to deal with; and that might by itself be a luxury corrupting the judgment.

It was absurd, perhaps, to have one's head so easily turned; but there was perfect convenience, at least, in the way the parts of the impression fell together and took a particular light. This light, from whatever source proceeding, cast an irresistible spell, bathed the picture in the confessed resignation of early autumn, the charming sadness that resigned itself with a silent smile. I say "silent" because the voice of the air had dropped as forever, dropped to a stillness exquisite, day by day, for a pilgrim from a land of stertorous breathing, one of the windiest corners of the world; the leaves of the forest turned, one by one, to crimson and to gold, but never broke off: all to the enhancement of this strange conscious hush of the landscape, which kept one in presence as of a world created, a stage set, a sort of ample capacity constituted, for—well, for things that wouldn't, after all, happen: more the pity for them, and for me and for you. This view of so many of the high places of the hills and deep places of the woods, the lost trails and wasted bowers, the vague, empty, rock-roughened pastures, the lonely intervals where the afternoon lingered and the hidden ponds over which the season itself seemed to bend as a young bedizened, a slightly melodramatic mother, before taking some guilty flight, hangs over the crib of her sleeping child—these things put you, so far as you were preoccupied with the

human history of places, into a mood in which appreciation became a positive wantonness and the sense of quality, plucking up unexpectedly a spirit, fairly threatened to take the game into its hands. You discovered, when once it was stirred, an elegance in the commonest objects, and a mystery even in accidents that really represented, perhaps, mere plainness unashamed. Why otherwise, for instance, the inveterate charm of the silver-gray rock cropping through thinly-grassed acres, with a placed and "composed" felicity that suggested the furniture of a drawing-room? The great boulders in the woods, the pulpit-stones, the couchant and rampant beasts, the isolated cliffs and lichened cathedrals had all, seen, as one passed, through their drizzle of forest light, a special New Hampshire beauty; but I never tired of finding myself of a sudden in some lonely confined place, that was yet at the same time both wide and bright, where I could recognize, after the fashion of the old New Hampshire sociability, every facility for spending the day. There was the oddity—the place was furnished by its own good taste; its bosky ring shut it in, the two or three gaps of the old forgotten enclosure made symmetrical doors, the sweet old stones had the surface of gray velvet, and the scattered wild apples were like figures in the carpet.

It might be an ado about trifles—and half the poetry, roundabout, the poetry in solution in the air, was doubtless but the alertness of the touch of autumn, the imprisoned painter, the Bohemian with a rusty jacket, who had already broken out with palette and brush; yet the way the color begins in those days to be dabbed, the way, here and there, for a start, a solitary maple, on a woodside, flames in single scarlet, recalls nothing so much as the daughter of a noble house dressed for a fancy-ball, with the whole family gathered round to admire her before she goes. One speaks, at the same time, of the orchards; but there are properly no orchards where half the countryside shows, all September, the easiest, most familiar sacrifice to Pomona. The apple-tree, in New England, plays the part of the olive in Italy, charges itself with the effect of detail, for the most part otherwise too scantily produced, and, engaged in this charming care, becomes infinitely decorative and delicate. What it must do for the too underdressed land in May and June is easily supposable; but its office in the early autumn is to scatter coral and gold. The apples are everywhere, and every interval, every old clearing, an orchard; they

have "run down" from neglect and shrunken from cheapness—you pick them up from under your feet but to bite into them, for fellowship, and throw them away; but as you catch their young brightness in the blue air, where they suggest strings of strange-colored pearls tangled in the knotted boughs, as you note their manner of swarming for a brief and wasted gaiety, they seem to ask to be praised only by the cheerful shepherd and the oaten pipe. The question of the encircled waters too, larger and smaller —that again was perhaps an ado about trifles; but you can't, in such conditions, and especially at first, resist the appeal of their extraordinarily mild faces and wooded brims, with the various choice spots where the great straight pines, interspaced beside them, and yielding to small strands as finely curved as the eyebrows of beauty, make the sacred grove and the American classic temple, the temple for the worship of the evening sky, the cult of the Indian canoe, of Fenimore Cooper, of W. C. Bryant, of the immortalizable water-fowl. They look too much alike, the lakes and the ponds, and this is, indeed, all over the world, too much a reproach to lakes and ponds—to all save the pick of the family, say, like George and Champlain; the American idea, moreover, is too inveterately that woods shall grow thick to the water. Yet there is no feature of grace the landscape could so ill spare—let alone one's not knowing what other, what baser, promiscuity mightn't oppress the banks if that of the free overgrowth didn't. Each surface of this sort is a breathing-space, in the large monotony; the rich recurrence of water gives a polish to the manner itself, so to speak, of nature; thanks to which, in any case, the memory of a characteristic perfection attaches, I find, to certain hours of declining day spent, in a shallow cove, on a fallen log, by the scarce-heard plash of the largest liquid expanse under Chocorua; a situation interfused with every properest item of sunset and evening star, of darkening circle of forest, of boat that, across the water, put noiselessly out—of analogy, in short, with every typical triumph of the American landscape "school," now as rococo as so many squares of ingenious wool-work, but the remembered delight of our childhood. On *terra firma,* in New England, too often dusty or scrubby, the guarantee is small that some object at variance, cruelly at variance, with the glamour of the landscape school may not "put out." But that boat across the water is safe, is sustaining as far as it goes; it puts out from

the cove of romance, from the inlet of poetry, and glides straight over, with muffled oar, to the—well, to the right place.

The consciousness of quantity, rather, as opposed to quality, to which I just alluded, quantity inordinate, quantity duly impressive and duly, if need be, overwhelming, had been the form of vigilance posting itself at the window—whence, incontestably, after a little, yielding to the so marked agitation of its sister-sense, it stepped back into the shadow of the room. If memory, at any rate, with its message so far to carry, had played one a trick, imagination, or some finer faculty still, could play another to match it. If it had settled to a convenience of the mind that "New England scenery" was hard and dry and thin, scrubby and meagre and "plain," here was that comfort routed by every plea of fancy—though of a fancy indeed perhaps open to the charge of the morbid—and by every refinement of appeal. The oddest thing in the world would delightfully have happened—and happened just there—in case one had really found the right word for the anomaly of one's surprise. What would the right word be but that nature, in these lights, was no single one of the horrid things I have named, but was, instead of them all, that quite other happy and charming thing, *feminine?*—feminine from head to foot, in expression, tone and touch, mistress throughout of the feminine attitude and effect. That had by no means the figure recalled from far back, but when once it had fully glimmered out it fitted to perfection, it became the case like a crown of flowers and provided completely for one's relation to the subject.

"Oh Italy, thou woman-land!" breaks out Browning, more than once, straight at *that* mark, and with a force of example that, for this other collocation, served much more as an incitement than as a warning. Reminded vividly of the identities of latitude and living so much in the same relation to the sun, you never really in New Hampshire—nor in Massachusetts, I was soon able to observe—look out at certain hours for the violet spur of an Apennine or venture to speak, in your admiration, of Tuscan or Umbrian forms, without feeling that the ground has quite gratefully borne you. The matter, however, the matter of the insidious grace, is not at all only a question of amusing coincidence; something intrinsically loveable everywhere lurks—which most comes out indeed, no doubt, under the consummate art of autumn. How shall one lightly enough express it, how describe

it or to what compare it?—since, unmistakably, after all, the numbered items, the few flagrant facts, fail perfectly to account for it. It is like some diffused, some slightly confounding, sweetness of voice, charm of tone and accent, on the part of some enormous family of rugged, of almost ragged, rustics—a tribe of sons and daughters too numerous to be counted and homogeneous perhaps to monotony. There was a voice in the air, from week to week, a spiritual voice: "Oh, the *land's* all right!"—it took on fairly a fondness of emphasis, it rebounded from other aspects, at times, with such a tenderness. Thus it sounded, the blessed note, under many promptings, but always in the same form and to the effect that the poor dear land itself—if that was all that was the matter—would beautifully "do." It seemed to plead, the pathetic presence, to be liked, to be loved, to be stayed with, lived with, handled with some kindness, shown even some courtesy of admiration. What was that but the feminine attitude?—not the actual, current, impeachable, but the old ideal and classic; the air of meeting you everywhere, standing in wait everywhere, yet always without conscious defiance, only in mild submission to your doing what you would with it. The mildness was of the very essence, the essence of all the forms and lines, all the postures and surfaces, all the slimness and thinness and elegance, all the consent, on the part of trees and rocks and streams, even of vague happy valleys and fine undistinguished hills, to be viewed, to their humiliation, in the mass, instead of being viewed in the piece.

It is perhaps absurd to have to hasten to add that doing what you would with it, in these irresponsible senses, simply left out of account, for the country in general, the proved, the notorious fact that nothing useful, nothing profitable, nothing directly economic, *could* be done at all. Written over the great New Hampshire region at least, and stamped, in particular, in the shadow of the admirable high-perched cone of Chocorua, which rears itself, all granite, over a huge interposing shoulder, quite with the *allure* of a minor Matterhorn—everywhere legible was the hard little historic record of agricultural failure and defeat. It had to pass for the historic background, that traceable truth that a stout human experiment had been tried, had broken down. One was in presence, everywhere, of the refusal to consent to history, and of the consciousness, on the part of every site, that this precious compound is in no small degree being insolently made, on the

other side of the continent, at the expense of such sites. The touching appeal of nature, as I have called it, therefore, the "Do something kind for me," is not so much a "Live upon me and thrive by me" as a "Live *with* me, somehow, and let us make out together what we may do for each other—something that is not merely estimable in more or less greasy greenbacks. See how 'sympathetic' I am," the still voice seemed everywhere to proceed, "and how I am therefore better than my fate; see how I lend myself to poetry and sociability—positively to æsthetic use: give me that consolation." The appeal was thus not only from the rude absence of the company that had gone, and the still ruder presence of the company left, the scattered families, of poor spirit and loose habits, who had feared the risk of change; it was to a listening ear, directly—that of the "summer people," to whom, in general, one soon began to figure so much of the country, in New England, as looking for its future; with the consequence in fact that, from place to place, the summer people themselves almost promised to glow with a reflected light. It was a clue, at any rate, in the maze of contemplation, for this vision of the relation so established, the disinherited, the impracticable land throwing itself, as for a finer argument, on the non-rural, the intensely urban class, and the class in question throwing itself upon the land for reasons of its own. What would come of such an *entente,* on the great scale, for both parties?—that special wonderment was to strike me everywhere as in order. How populations with money to spare may extract a vulgar joy from "show" sections of the earth, like Switzerland and Scotland, we have seen abundantly proved, so that this particular lesson has little more to teach us; in America, however, evidently, the difference in the conditions, and above all in the scale of demonstration, is apt to make lessons new and larger.

Once the whole question had ranged itself under that head—what would the "summer people," as a highly comprehensive term, do with the aspects (perhaps as a highly comprehensive term also), and what would the aspects do with the summer people?—it became conveniently portable and recurrently interesting. Perhaps one of the best reasons I can give for this last side of it was that it kept again and again presenting the idea of that responsibility for *appearances* which, in such an association as loomed thus large, was certain to have to fix itself somewhere.

What was one to say of appearances as they actually prevailed—from the moment, I mean, they were not of the charming order that nature herself could care for? The appearances of man, the appearances of woman, and of their conjoined life, the general latent spectacle of their arrangements, appurtenances, manners, devices, opened up a different chapter, the leaves of which one could but musingly turn. A better expression of the effect of most of this imagery on the mind should really be sought, I think, in its seeming, through its sad consistency, a mere complete negation of appearances—using the term in the sense of any familiar and customary "care for looks." Even the recognition that, the scattered summer people apart, the thin population was poor and bare had its bewilderment, on which I shall presently touch; but the poverty and the bareness were, as we seemed to measure them, a straight admonition of all we had, from far back, so easily and comfortably taken for granted, in the rural picture, on the other side of the world. There was a particular thing that, more than any other, had been pulled out of the view and that left the whole show, humanly and socially, a collapse. This particular thing was exactly the fact of the *importance,* the significance, imputable, in a degree, to appearances. In the region in which these observations first languished into life that importance simply didn't exist at all, and its absence was everywhere forlornly, almost tragically, attested. There was the little white wooden village, of course, with its houses in queer alignment and its rudely emphasized meeting-house, in particular, very nearly as unconsecrated as the store or the town pump; but this represented, throughout, the highest tribute to the amenities. A sordid ugliness and shabbiness hung, inveterately, about the wayside "farms," and all their appurtenances and incidents—above all, about their inmates; when the idea of appearance was anywhere expressed (and its highest flights were but in the matter of fresh paint or a swept dooryard), a summer person was usually the author of the boon. The teams, the carts, the conveyances in their kinds, the sallow, saturnine natives in charge of them, the enclosures, the fences, the gates, the wayside "bits," of whatever sort, so far as these were referable to human attention or human neglect, kept telling the tale of the difference made, in a land of long winters, by the suppression of the two great factors of the familiar English landscape, the squire and the parson.

What the squire and the parson do, between them, for appearances (which is what I am talking of) in scenes, predominantly Anglo-Saxon, subject to their sway, is brought home, as in an ineffable glow, when the elements are reduced to "composing," in the still larger Anglo-Saxon light, without them. Here was no church, to begin with; and the shrill effect of the New England meeting-house, in general, so merely continuous and congruous, as to type and tone, with the common objects about it, the single straight breath with which it seems to blow the ground clear of the seated solidity of religion, is an impression that responds to the renewed sight of one of these structures as promptly as the sharp ring to the pressure of the electric button. One lives among English ancientries, for instance, as in a world toward the furnishing of which religion has done a large part. And here, immediately, was a room vast and vacant, with a vacancy especially reducible, for most of the senses, to the fact of that elimination. Perpetually, inevitably, moreover, as the restless analyst wandered, the eliminated thing *par excellence* was the thing most absent to sight—and for which, oh! a thousand times, the small substitutes, the mere multiplications of the signs of theological enterprise, of the complexion and on the scale of commercial and industrial enterprise, had no attenuation worth mentioning. The case, in the New Hampshire hills at least, was quite the same for the pervasive Patron, whose absence made such a hole. We went on counting up all the blessings we had, too unthankfully, elsewhere owed to him; we lost ourselves in the intensity of the truth that to compare a simplified social order with a social order in which feudalism had once struck deep was the right way to measure the penetration of feudalism. If there was no point here at which they had perceptibly begun, there was on the other side of the world no point at which they had perceptibly ceased. One's philosophy, one's logic might perhaps be muddled, but one clung to them for the convenience of their explanation of so much of the ugliness. The ugliness—one pounced, indeed, on this as on a talisman for the future—was the so complete abolition of *forms;* if, with so little reference to their past, present or future possibility, they could be said to have been even so much honored as to be abolished.

The pounce at any rate was, for a guiding light, effectual; the guiding light worked to the degree of seeming at times positively

to save the restless analyst from madness. He could make the absence of forms responsible, and he could thus react without bitterness—react absolutely with pity; he could judge without cruelty and condemn without despair; he could think of the case as perfectly definite and say to himself that, could forms only *be*, as a recognized accessory to manners, introduced and developed, the ugliness might begin scarcely to know itself. He could play with the fancy that the people might at last grow fairly to like them—far better, at any rate, than the class in question may in its actual ignorance suppose: the necessity would be to give it, on an adequate scale and in some lucid way, a taste of the revelation. What "form," meanwhile, *could* there be in the almost sophisticated dinginess of the present destitution? One thoughtfully asked that, though at the cost of being occasionally pulled up by odd glimpses of the underlying existence of a standard. There was the wage-standard, to begin with; the well-nigh awe-struck view of the high rate of remuneration open to the most abysmally formless of "hired" men, indeed to field or house labor, expert or inexpert, on the part of either sex, in any connection: the ascertainment of which was one of the "bewilderments" I just now spoke of, one of the failures of consistency in the gray revelation. After this there was the standard, ah! the very high standard, of sensibility and propriety, so far as tribute on this ground was not owed by the parties themselves, but owed *to* them, not to be rendered, but to be received, and with a stiff, a warmingly stiff, account kept of it. Didn't it appear at moments a theme for endless study, this queer range of the finer irritability in the breasts of those whose fastidiousness was compatible with the violation of almost every grace in life *but* that one? "Are you the woman of the house?" a rustic cynically squalid, and who makes it a condition of *any* intercourse that he be received at the front door of the house, not at the back, asks of a *maîtresse de maison*, a summer person trained to resignation, as preliminary to a message brought, as he then mentions, from the "washer-lady." These are the phenomena, of course, that prompt the woman of the house, and perhaps still more the man, to throw herself, as I say, on the land, for what it may give her of balm and beauty—a character to which, as I also say, the land may affect these unfortunates as so consciously and tenderly playing up. The lesson had perhaps to be taught; if the Patron is at

every point so out of the picture, the end is none the less not yet of the demonstration, on the part of the figures peopling it, that they are not to be patronized. Once to see this, however, was again to focus the possible evolution of manners, the latent drama to come: the æsthetic enrichment of the summer people, so far as they should be capable or worthy of it, by contact with the consoling background, so full of charming secrets, and the forces thus conjoined for the production and the imposition of forms. Thrown back again almost altogether, as by the Jersey shore, on the excitement of the speculative, one could extend unlimitedly—by which I mean one could apply to a thousand phases of the waiting spectacle—the idea of the possible drama. So everything worked round, afresh, to the promise of the large interest.

HENRY JAMES.

(To be Continued.)

THE AMERICAN LAW OF IMPEACHMENT.

BY HANNIS TAYLOR, LL.D. (EDIN. AND DUB.), AUTHOR OF "THE ORIGIN AND GROWTH OF THE ENGLISH CONSTITUTION," ETC., ETC.

On May 11th, 1787, Warren Hastings was impeached at the bar of the House of Lords, and on the 14th of the same month the Federal Convention met at Philadelphia to frame the Constitution of the United States. Before that historic trial, with its pageantry, its pathos, its eloquence, its failure and disappointment, drew to a close, the English people resolved that the ancient and cumbrous weapon of constitutional warfare known as "impeachment" was no longer adapted to the wants of a modern and progressive society. From that time, excepting the trial of Lord Melville in 1805, Parliamentary impeachment ceased to be a living and working organ of the English constitution. But, before this ancient method of trial thus passed into desuetude in the land of its birth, it was embodied, in a modified form, first, in the several State constitutions, and, finally, in the Constitution of the United States. And so, at rare intervals, this ghost of the past stalks upon the shores of the New World as a spirit exorcised from the Old. As the entire body of American impeachment law was transplanted, in a modified form, from the Parliamentary law of England, the question which arises upon the threshold of every case is this: Do the acts charged constitute impeachable offences, as defined in that law a century ago? The practical difficulty which stands in the way of a clear and definite answer to that question grows out of the fact that American constitutions, State and Federal, fail to define what are generally known as impeachable "high crimes and misdemeanors." As that formula was well understood by constitutional lawyers on both sides of the Atlantic at the time of the severance from the

Mother Country, it was taken for granted that an examination of the English precedents would always solve doubts that might subsequently arise. No matter how unsatisfactory that process may be, it is the only one which has ever been considered available for purposes of interpretation; it is the only key to the meaning of that all-important clause contained in Article II, section 4, of the Federal Constitution, which provides that "the President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, *or other high crimes and misdemeanors.*"

In order to obtain a starting-point, it is necessary to draw a brief outline of the growth of the English Parliamentary law of impeachment from its inception, in the fiftieth year of the reign of Edward III (1376), down to the making of our first State constitutions in 1776. The history of that growth, of just four hundred years, is divisible into two epochs, easily distinguishable from each other. Not until early in the reign of Edward III was Parliament definitely and finally divided into two Houses that deliberated apart; not until near the close of that reign did the Commons, as the grand jury of the whole realm, attempt to present persons accused of grave offences against the State to the Lords for trial. The proceedings which took place in the Good Parliament against the Lords Latimer and Neville, in 1376, are regarded by the constitutional historians as the earliest instances of a trial by the Lords upon a definite accusation made by the Commons. The new institution thus established was occasionally employed during the reigns of Richard II, Henry IV, Henry V, and Henry VI. In the reign last named, Lord Stanley was impeached in 1459 for not sending his troops to the battle of Blore Heath. That trial terminates the first epoch in the history of the law of impeachment in England. It was not again employed during the period that divides 1459 from 1621, an interval of one hundred and sixty-two years. The primary cause for the suspension is to be found in the fact that, during that interval, the decline in the prestige and influence of Parliament was such that the directing power in the State passed to the King in Council, the judicial aspect of which was known as the Star Chamber. There it was that the great State trials took place during the reign of Edward IV, and during the following reigns of the princes of the house of Tudor. Such impeachment trials

as did take place during the first or formative epoch are not as distinctly defined as those that occurred during the later period.

With the revival of the powers of Parliament, in the reign of James I, the modern history of the English law of impeachment really begins. The first case to occur during the second or modern epoch was that of Sir Giles Mompesson in 1621, the last that of Lord Melville in 1805. Including the first and last, the total is fifty-four. An examination of that list reveals the fact that many of the cases involved private individuals, it having always been the law of England that all subjects, as well out of office as in office, might be thus accused and tried. As that branch of the law of impeachment which authorized the accusation of individuals out of office was never reproduced in this country, cases of that class may be dismissed from consideration. By far the greater number of the remaining cases are what are known as "political impeachments," whereby one party in the State would attempt to crush its adversaries in office by impeaching them for high treason, which generally involved commitment to the Tower. As illustrations, reference may be made to the case of Portland, Halifax, and Somers, three Whig peers impeached of high treason by a Tory House of Commons for their share in promoting the Spanish Partition Treaties in 1700; and to that of Oxford, Bolingbroke, and Ormond, Tory ministers impeached by the triumphant Whigs in the Commons for their share in negotiating the Peace of Utrecht in 1713. Only to these political impeachment cases can we look for a definition of the term "high crimes and misdemeanors," when an accusation is directed by the House of Representatives against the President, Vice-President or any other civil officer of the United States, whose office is not judicial. How vague and unsatisfactory such precedents are when applied to the widely divergent conditions of our national life, the momentous trial of Andrew Johnson fully disclosed.

The cases in which English judges have been impeached for high crimes and misdemeanors in office constitute a class apart; first, because the tenure by which the judges hold is peculiar; second, because, in addition to impeachment, there is another and more summary method provided for their removal. The earliest of the accusations directed against English judges were for the crime of bribery, the crime for which Sir William Thorpe was impeached in 1351, Chancellor Michael de la Pole in 1384,

Lord Bacon in 1621, and Lord Macclesfield in 1725. Leaving out of view these cases for bribery, pure and simple, but two judicial impeachments remain in the entire history of the English people. Only in those two cases have the Commons impeached and the Lords tried English judges upon charges of judicial misconduct in office other than bribery. When, in 1635, the ship-money writs, extended by Charles I to the inland countries, were resisted, the judges gave answers in favor of the prerogative. When, in the next year, another set of ship writs was issued, Hampden made a test case by refusing to pay the assessment on his lands at Great Missenden, and the issue thus raised was argued in November and December, 1637, before a full Bench. The contention made in favor of the Crown was sustained by seven of the Judges, with Finch, Chief Justice of the Common Pleas, and Berkley, one of the Judges of the King's Bench, in the lead. When the day of reckoning came, Finch fled to Holland, and the remaining six were impeached by the Commons for their judgments rendered in favor of the royal contention. As Berkley's opinion in favor of the legality of ship-money was the most emphatic, he was made the special object of attack in articles which charged, among other things, "that he, the said Robert Berkley, then being one of the Justices of the King's Bench, and having taken an oath for the due administration of justice, according to the laws and statutes of the realm, to His Majesty's liege people, on or about the last of December subscribed an opinion;" "that he, the said Sir Robert Berkley, being one of the Justices of the said court of King's Bench, *and sitting in said court,* deferred to grant a prohibition," etc. In the reign of Charles II, Sir William Scroggs, Chief Justice of the King's Bench, was impeached of high crimes and misdemeanors, in articles which charged that he "hath traitorously and wickedly endeavored to subvert the fundamental laws, and the established religion and government of his Kingdom of England; and, instead thereof, to introduce Popery and arbitrary and tyrannical government against law, which he has declared by divers traitorous and wicked words, opinions, judgments, practices, and actions." Chief among the special charges is the following: "That he, in pursuance of his said traitorous purposes, did, together with the rest of the Justices of the said court, several days before the end of said term, in an arbitrary manner, discharge the grand jury which

then served for the hundred of Oswaldston, in the county of Middlesex, before they had made their presentments." It thus appears that the House of Commons, in applying the term "high crimes and misdemeanors" to the conduct of English judges, only included in that category such acts as a judge performs while sitting upon the bench, administering the laws of the realm, either between private persons or between the Crown and the subject. Excepting bribery, there is no case in the Parliamentary law of England which gives color to the idea that the personal misconduct of a judge, *in matters outside of his administration of the law in a court of justice,* was ever considered or charged to constitute an impeachable high crime and misdemeanor.

When the question is asked, by what means the personal misconduct of an English judge, not amounting to a high crime and misdemeanor, is punished, the answer is easy. Prior to the passage in 1701 of the famous Act of Settlement, neither the tenure nor the compensation of English judges rested upon a firm or definite foundation. Hallam tells us that "it had been the practice of the Stuarts, especially in the last years of their dynasty, to dismiss judges, without seeking any other pretence, who showed any disposition to thwart Government in political prosecutions." As the hasty and imperfect Bill of Rights had failed to provide a remedy for that condition of things, it became necessary for the authors of the Act of Settlement to provide that English judges should hold office during good behavior (*"quamdiu se bene gesserint"*), and that they should receive ascertained and established salaries. But it was not forgotten that the remedy by impeachment extended only to high crimes and misdemeanors, which did not embrace personal misconduct. Therefore, a method of removal was provided by address, which was intended to embrace all misconduct not included in the term "high crimes and misdemeanors." In the light of that statement, it will be easier to understand the full purport of that section of the Act of Settlement which provides "that, after the said limitations shall take effect as aforesaid, judges' commissions be made *quamdiu se bene gesserint* and their salaries ascertained and established; *but upon the address of both Houses of Parliament, it may be lawful to remove them.*" Thus, for seventy-five years prior to the severance of the political tie which bound the English colonies in America to the parent state, the twofold method for the removal of Eng-

lish judges was clearly defined and perfectly understood on both sides of the Atlantic. That twofold method embraced (1) the removal by impeachment for all acts constituting "high crimes and misdemeanors," a term then clearly defined in English Parliamentary law; (2) the removal by address for all lesser acts of personal misconduct not embraced in that term. That such was the general and accepted view, on this side of the Atlantic in 1776, of the English Parliamentary law of impeachment and address, can be put beyond all question by reference to the several State constitutions in which that law reappeared. For instance, the constitution of Pennsylvania of 1776, Article V, section 2, provides that "judges of the Supreme Court, and of the several courts of Common Pleas, shall hold their offices during good behavior. But for any reasonable cause, *which shall not be sufficient ground for impeachment,* the Governor may remove any of them, on the address of two-thirds of each branch of the legislature." The constitution of Delaware of 1792, Article VI, section 2, provides that "the chancellor and the judges of the Supreme Court of Common Pleas shall hold their office during good behavior; but for any reasonable cause, *which shall not be sufficient ground for impeachment,* the Governor may, in his discretion, remove any of them, on the address of two-thirds of all the members of each branch of the legislature." The constitution of South Carolina of 1868, Article VII, section 4, provides that, "for any willful neglect of duty or other reasonable cause, *which shall not be sufficient ground of impeachment,* the Governor shall remove any executive or judicial officer, on the address of two-thirds of each house of the General Assembly." Here are explicit and dogmatic statements of the settled rule of English Parliamentary law that judges may be removed, by impeachment, for those grave acts of judicial misconduct generally known as impeachable "high crimes and misdemeanors," and, by address, for all lesser offences of personal misconduct. As that distinction was so well understood at the time, many of the State constitutions simply presupposed it, without stating it in express terms.

This dual system for the removal of State judges, thus derived from the English constitution, had been in operation in the States for years prior to the meeting of the Federal Convention at Philadelphia in 1787. As a general rule, the framers looked to that source for light when the adoption of a principle of Eng-

lish constitutional law was concerned. The questions that constantly arose were: In what form has such a principle reappeared in the several States? Are its operation and effect satisfactory therein? Such examples were sometimes taken not as guides, but as warnings. It did not always follow that a principle adapted to the wants of a single State was to be engrafted, without modification, upon the constitution of a Federal State. The debates touching the adoption of impeachment and address, as a double method for the removal of Federal judges, pointedly illustrate that fact, as the Convention, by an almost unanimous vote, resolved to adopt the former and omit the latter. The record is specially clear and direct on that point. When the subject of the removal of Federal judges was reached, "Dickinson moved, as an amendment to Article XI, section 2, after the words 'good behavior,' the words, 'Provided that they may be removed by the Executive on the application by the Senate and House of Representatives.'" [The words of the Act of Settlement are, "but upon the address of both Houses of Parliament it may be lawful to remove them."] "Mr. Gerry seconded the motion. Mr. Gouverneur Morris thought it a contradiction in terms to say that the judges should hold office during good behavior and yet be removable without a trial. Besides, it was fundamentally wrong to subject judges to so arbitrary an authority. Mr. Wilson considers such a provision in the British Government as less dangerous than here; the House of Lords and House of Commons being less likely to concur on the same occasions. Chief-Justice Holt, he remarked, had successively offended, by his independent conduct, both Houses of Parliament. Had this happened at the same time, he would have been ousted. The judges would be in a bad situation, if made to depend on any gust of faction which might prevail in the two branches of our Government. Mr. Randolph opposed the motion, as weakening too much the independence of the judges. Mr. Dickinson was not apprehensive that the legislature, composed of different branches, constructed on such different principles, would improperly unite for the purpose of displacing a judge. On the question of agreeing to Mr. Dickinson's motion, it was negatived. Connecticut, aye; all the other States, present, no."* Thus the attempt to engraft upon our Federal Constitution that provision of the Act of Settlement, heretofore

* Madison Papers, pp. 481-2.

set forth, was rejected with only one dissenting voice. The result made it plain at once that there would be no way in which a Federal judge could be removed for personal misconduct, not amounting to a high crime and misdemeanor, unless that narrow and well-defined formula could be supplanted by some other phrase wide enough to embrace personal misconduct. In order to accomplish that end, in order to make the single process by impeachment in our Federal Constitution as wide as the double process of impeachment and address in the English, a proposition was made to use the words "to be removable on impeachment for and conviction for *malpractice and neglect of duty.*" It being agreed that these expressions were too general, they were stricken out.* A second attempt to accomplish the same end was next made by Mr. Mason, who moved to insert after "bribery," the words "*or maladministration.*" "Madison: 'So vague a term will be equivalent to a tenure during the pleasure of the Senate.' Mason withdrew 'maladministration,' and substituted 'other high crimes and misdemeanors against the State.' In the final draft the words 'against the State' were omitted, doubtless as surplusage, and the expressions finally adopted, 'crimes' and 'misdemeanors,' were words which had a well-defined signification in the courts of England and in her colonies, as meaning criminal offence at common (Parliamentary) law."†

In rejecting removal by address, and by limiting the impeachment of Federal judges to offences known as "high crimes and misdemeanors," that ancient formula was adopted by the Convention with the construction which had been given it in the English system, for the good and sufficient reason that, without such construction, it was meaningless. From the outset, the Supreme Court of the United States has held that, when such formulas or "terms of art," taken from the English system, were incorporated into our Federal Constitution, they carried along with them the interpretations which were a part of them. When, in Burr's case, Chief-Justice Marshall was called upon to construe Article III, section 3, which provides that "treason against the United States shall consist only in levying war against them," etc., he said: "The term is not for the first time applied to treason by the Constitution of the United States. It is a technical term. It is used in a very old statute of that country whose lan-

* Madison Papers, p. 481. † American Law Review, Vol. 16, p. 804.

guage is our language and whose laws form the substratum of our laws. It is scarcely conceivable that the term was not employed by the framers of our Constitution in the sense which had been affixed to it by those from whom we borrowed it." The same rule has been followed by the Supreme Court until the present day.* It thus appears that, when such immemorial English formulas were imbedded in the Constitution of 1787, their historical meaning and construction went along with them, as completely as if such meaning and construction had been written out at length upon the face of the instrument itself. If that be true, it is self-evident that no subsequent Congressional legislation can change in any way, by addition or subtraction, the definitions embodied in such formulas at the time of their adoption. If the term, "high crimes and misdemeanors," could be subjected to a new Congressional definition, acts which were such in 1787 could be relieved of all criminality, and new acts not then criminal could be added to the list of impeachable offences. So obvious is that principle that the managers, in the case of Andrew Johnson, admitted that "Congress can not define or limit by law that which the Constitution defines in two cases by enumeration, and in others by classification, and of which the Senate is sole judge."

Since the foundation of our Federal system, eight impeachment trials have taken place under the machinery provided for that purpose: that of Blount (1798), that of Pickering (1803), that of Chase (1804), that of Peck (1830), that of Humphreys (1862), that of Johnson (1868), that of Belknap (1876), and that of Swayne (1905). Three of these were political and five judicial impeachments, as those terms are understood in Parliamentary law. Leaving the last out of view, for the moment, in the four preceding judicial impeachments the House of Representatives, in drafting its articles, adhered with the greatest strictness to the English rule, which provides that the judicial acts constituting high crimes and misdemeanors must be committed by the judge, on the bench, while in the actual administration of justice. In the very first case, that of Judge Pickering, who was undoubtedly a drunkard, there was a strong temptation to depart from the rule and to charge him with personal mis-

* See Murray *vs.* The Hoboken Land Co., 18 How., 272; Davidson *vs.* New Orleans, 96 U. S., 97; Smith *vs.* Alabama, 124 U. S., 465; United States *vs.* Wong Kim Ark, 169 U. S., 649.

conduct off the bench. But the men of that day were too familiar with the then recent past to attempt such an innovation. On the contrary, after charging Pickering with judicial misconduct in an admiralty case, they also charged that he performed certain other acts while sitting on the bench under the influence of liquor: "being then judge of the District Court in and for the District of New Hampshire, *did appear on the bench of said court,* for the purpose of administering justice, in a state of total intoxication, produced by the free and intemperate use of inebriating liquors, and did *then and there,*" etc. Of course no lawyer at all familiar with the rules of pleadings would venture to assert that Pickering was impeached for drunkenness, as such, in the face of the fact that the greatest pains were taken in the drafting of the articles to preclude that idea. In the cases against Judges Chase and Peck, the charges were likewise limited under the English rule to judicial acts performed on the bench, with "a malicious and unlawful" intent. While the case of Humphreys, who was tried in his absence during the Civil War, should have but little weight as a precedent, it gives special emphasis to the rule in question, because of its recognition even under anomalous conditions. In the first place, Humphreys was impeached for treason, and all the acts charged as having been committed off the bench fall under that head. Then, strangely enough, he was charged with judicial misconduct while sitting on the bench of a court of the Confederate States: "In decreeing within said State, and as a judge of said illegal tribunal, the confiscation to the use of said Confederate States of America of property of citizens of the United States, and especially of property of one Andrew Johnson, and one John Catron." Thus, even in the midst of civil war, the idea was dominant that judicial misconduct must occur on the bench in order to render it impeachable.

In the case of Judge Swayne, the House of Representatives, for the first time in our history, departed from the ancient rule, by impeaching a Federal judge for personal misconduct off the bench. Twelve articles were exhibited against the respondent, in five of which the ancient rule was carefully observed. In Articles 8, 9, 10, 11 and 12, impeachable offences were properly charged under the rule which the Constitution prescribes, that is to say, the rule of English Parliamentary law. But, in the first seven articles, he was charged simply with personal misconduct, entirely

disconnected with the despatch of judicial business on the bench between suitors—such conduct as might have subjected him to removal by address, if proven, under a system embracing that plan of punishment for non-impeachable offences. Upon pleas to the jurisdiction to the first seven articles the question was squarely presented, whether the acts charged therein constituted impeachable crimes, and counsel for the respondent rested their contention upon the historical data with which all constitutional lawyers are supposed to be familiar. In reply, the managers made little, if any, attempt to controvert such data, preferring to rest their answer upon an *ab convenienti* argument, whose burden was that the construction of the Constitution claimed by the defence would, if sound, disclose a grave defect in the Constitution itself. To employ their own language: "The logical conclusion from the contention of respondent's counsel is that, no matter how vile any civil officer of the Government may be, no matter how great the sum total of the individual items of his offending, so long as the offending is not on the bench, or in the active technical conduct of his office, the whole power of the Government is too weak, the arm of the House of Representatives too short, and the judgment of the Senate too puny to reach the offender and protect the public from the vile contamination of his continued presence in office." Even if that statement, which Canon Farrar would have called a "*reductio ad horribile,*" be true, it proves absolutely nothing, so far as the point at issue is concerned. If there is a defect in the Constitution, resulting from the deliberate omission by the fathers of removal by address, the only way to cure it is by amendment. Recognizing that fact, Senator Bacon of Georgia, an eminent jurist, the moment the Swayne trial ended, introduced the following joint resolution:

"Resolved, etc. That the following amendment to the Constitution of the United States be proposed to the legislatures of the several States, which, when ratified by three-fourths of said legislatures, shall become and be a part of the Constitution and shall be known as Article 16 of the Amendments to the Constitution.

"'All civil officers of the United States, other than the President and Vice-President, shall be removed from office upon the concurrent vote of two-thirds of each House of Congress directing the same, on account of immorality, imbecility, maladministration, misfeasance, or malfeasance in office.'"

HANNIS TAYLOR.

REMARRIAGE AFTER DIVORCE.

THE PRACTICE OF THE ROMAN CHURCH CONTRASTED WITH ITS THEORY.

BY THE RIGHT REV. WILLIAM CROSWELL DOANE, BISHOP OF ALBANY.

THERE is always more or less confusion attendant upon a debate in a large assembly of men accustomed to think and to speak, to teach and to lay down the law; and when the debate is over, the time comes—as on a battlefield, with the smoke cleared away—to count and carry off the dead and wounded, and to see how the battle fared and what its issue really was. Looking back quietly over the discussions and at the decision of the last General Convention on the subject of remarriage after divorce, there are some dead and wounded things to be carried away, never, I think, to return; while there are some who fought and ran away, and some who fought and did not run away, who will live to fight another day. Meanwhile, unsatisfactory as the issue was—because it is a substitution of polity for principle, because it reaches a result by indirectness and implication, not by positiveness and conviction—it certainly marks, in more ways than one, an advance in the direction of stringent guarding of the sacredness of marriage. When I say "principle," I do not mean what many of us hold, the principle of the indissolubility of marriage, but the principle, which governs very many others, of the sacredness of marriage; and when I say "conviction," I mean the conviction that the evil of frequent and facile divorce in America must be arrested.

The dead and wounded carried away are, I think, in two classes of what Mr. Gladstone would call "cocksure people." I do not believe anybody will undertake again to argue on doctrinal grounds about a canon of discipline. I do not believe anybody will presume to say that anywhere the Protestant Episcopal Church has legislated in a disciplinary way that marriage is indis-

soluble. I do not believe anybody will stand up, like Cato, with his "*insuper censeo*" (or, rather, these people say "*insuper scio*"), and say that our Lord plainly allowed remarriage to the innocent party divorced for the adultery of the other. I have not the slightest doubt that an increasing number of people will hold the Prayer-Book teaching, that the Church contemplates the marriage of one woman to one man until they are parted by death; and I have no doubt that a decreasing number of people will believe that adultery dissolves the bond. But I think textual exegesis and individual convictions will play less part hereafter in the discussion. After all, the General Convention is concerned with discipline and not with doctrine. And, however deeply doctrine may enter into our beliefs in connection with marriage, the question of remarriage after divorce is a question of discipline. I want to deal with this great question on this ground. The present canon, passed at the General Convention, virtually contains a doctrinal germ, namely, that adultery dissolves marriage. If a canon had been passed not only forbidding the clergy of the Protestant Episcopal Church to remarry any divorced person, but compelling them to refuse the sacraments after remarriage, that would have contained a doctrinal germ, and it would be, what the present canon is, an interpretation of Scripture and the definite decision of a question which has never yet been decided either by enactment of council, or by consent of scholars, or by uniform and universal catholic use. Just because of this difference for sixteen centuries, because of the division between East and West, because of the difference among manuscripts, because of the disagreement of scholars, the true ground, the safe ground, is the ground of uncertainty; and because of this uncertainty, the Church is free, and I think bound, to say that she will remarry no divorced person on any ground whatever, lest she should go against the Master's will; and also to say that she will not cut off from the sacraments of salvation the one person whose marriage was, perhaps, not positively prohibited by Him.

I know this is called cowardly and inconsistent. It is not cowardly, because true courage is that which "dares do all that may become" a Christian. It is not inconsistent, because it consists with the actual facts of history, as they stand out in the survey of the Church in all the centuries and countries of the world.

Two things need, it seems to me, to be made clear: first, that

no remarriage ought to be solemnized by *any* ecclesiastical body or sanctioned by civil law, except to the innocent party in a suit for adultery. Slowly but surely I believe all the Protestant churches are drawing towards this conclusion. When they reach it, they will at least not have gone beyond the Scriptural ground. And once they reach it, they will be able to influence divorce legislation in the States to this same position. Meanwhile, because no State law can compel, or can do more than allow, a clergyman to officiate, remarriages other than this will have no ecclesiastical sanction.

The other thing which needs clear understanding is the attitude of the Roman Catholic Church upon the whole question. That Church is in a perfectly different position towards this whole subject from any other religious body in the world, because she claims two things: first, the power to annul a marriage, or, rather, to declare it void *ab initio;* and, secondly, the power to dispense with certain hindrances to marriage. Stated in practical terms, the Roman Church both creates and does away with impediments to marriage. I am a bit anxious to make myself clear in regard to this matter. I confess to a feeling of more or less uncertainty about my own position, because, on the one hand, with much kindness of expression, I have been accused of holding the Roman and the Rigorist theory; and, on the other hand, with equal kindness, Roman Catholic laymen and clergymen have questioned the accuracy of a statement which I made in the address to my own Convention, that the Roman Church refused divorce, but "multiplied possibilities of remarriage by innumerable grounds of dispensation and countless definitions of prenuptial sin." It would be more accurate to say "prenuptial impediments."

Now, let us face the facts squarely. Rome takes a tremendous responsibility in both these directions. How does she discharge it? She claims that she does not recognize divorce, and it is claimed for her that she holds as a doctrine that marriage is indissoluble. Technically and in terms this is true; but, to all intents and purposes, there are infinitely more grounds with her for the remarriage of one party with husband or wife still living, than are dreamed of in our theology or in our legislation. Often as divorces are spoken of as occurring in the history of England and of France before the Reformation, they were not dissolutions of the marriage tie, technically speaking, but declarations by the

courts of the Church that the marriage was null and void from the beginning. For instance, when Louis XII of France wanted to get rid of a wife to whom he had been married for twenty-two years, that he might marry a young and wealthy widow, he pleaded with the Pope that his wife was his fourth cousin, that she was deformed, that her father had been his godfather, and the plea was backed by considerations of money, of gifts of land, of a French dukedom to the Pope's illegitimate son, Cardinal Cæsar Borgia; and, within a year, his marriage of twenty-two years was declared never to have been a marriage, a dispensation was granted, and he was, so to speak, married to Anne of Brittany.

There is as striking an instance of this sort of thing in the multi-matrimonial story of Henry VIII of England, who only had to resort to beheading, as a means of getting rid of his wives, in two instances out of the six. No one, of course, apologizes for the bestialities and the brutalities of this famous King; but it seems to me unmistakably clear that he used as a means for gratifying his passions the ecclesiastical system under which he had been trained, and with which (and particularly with the instance just mentioned) he was perfectly familiar. His original marriage to Catherine was a violation not only of the law of the Church, but of the law of God, because she was his brother's widow; but the Pope had dispensed with the law and allowed the marriage, and, in spite of Henry's own protest that it was not lawful, and of opposition both public and private, they were, so to speak, married. And then, because of a flaw in the form of dispensation, or because it was held that the Pope could not dispense with the law of God, the marriage was declared null and void, not by the Pope, but by the Church, along strictly Roman lines. His marriage with Jane Seymour was made possible by a dispensation, Roman though not from Rome, before he beheaded Anne Boleyn; and he married Catherine Howard because, by a dispensation strictly along Roman lines, his marriage with Anne of Cleves was declared null and void, on the ground that he had never given his "inward consent." If it is claimed that the Pope did not grant this dispensation, it must be remembered that, in those days, "*L'église c'est moi*" had not been pronounced, and the secret of the possibility of these performances lay in what I have called the "innumerable grounds of dispensation and countless definitions of prenuptial impediments." The same thing is

true of Napoleon's marriage to Marie Louise of Austria: so far as I can find any full statement of the facts, his marriage with Josephine was annulled by an ecclesiastical council composed of Cardinals and Bishops, on the ground that the nuptial blessing given at the marriage lacked the formalities prescribed by the canon law, namely, the presence of the priest of the parish and of witnesses, with a further reason added, namely, a lack of consent on Napoleon's part. The Archbishop of Vienna performed the proxy marriage in the Church of the Augustines, a dispensation having been granted to allow the ceremony to take place in Lent on the ground of this annulment. Twenty-seven Cardinals were present afterward at the civil ceremony of his marriage at St.-Cloud, but thirteen absented themselves from the religious ceremony which was celebrated afterward, with solemn ceremonial, in the Court Gallery of the Louvre, by the Cardinal Grand Almoner of France, assisted by the Grand Almoner of Italy. And, later on, the baptism of the King of Rome was solemnized in Nôtre Dame by the Cardinal Grand Almoner, twenty Cardinals and one hundred Archbishops and Bishops having been, it is said, present in the sanctuary at the service. And, within our own memory, a dispensation was given by the Pope himself, by means of which the Duke of Aosta married his own niece.

Still more recently, a marriage was made possible in the city of New York by virtually annulling, on technical grounds (that the husband was unbaptized), what had been counted and considered by both parties a perfectly legal marriage. That, of course, was not technically a divorce, but it amounted to the same thing, and was granted upon grounds on which no court in the universe would have thought of a divorce. A case came to my own knowledge, on undoubted authority, of a young girl, a member of the Episcopal Church, who, against the warnings of her parents and her pastor, obtained a divorce on the ground of desertion. She then became engaged to a young Roman Catholic, and, finding that she could not be married in her own Church or by a Roman priest on the strength of that divorce, she was received into the Roman Church, because the priest told her that her marriage was null and void inasmuch as the husband had never been baptized. In the Providence of God the man died before she could marry him, but she took these preliminary steps under Roman advisement and with the marriage by a Roman Catholic priest in view.

Now, when one goes back from concrete instances to abstract facts, I confess one gets confused. I have carefully gone through "The History of the Council of Trent," by Pietro Polano, translated by Nathaniel Brent, published in London in 1620, and also "The Canons and Decrees of the Council of Trent," in Le Plat's edition, published at Antwerp in 1779. And I have also carefully read Gury's "Compendium of Moral Theology," and a book which is called "The Ecclesiastical Dictionary," by the Rev. John Thein, which has the imprimatur of the Roman Catholic Archbishop of New York and the Roman Catholic Archbishop of Cleveland. So that I have done what in me lies to get accurate and authoritative information. Still, I confess myself confused, and convinced of the fact that, when, in controversy, a defender of the Roman system is cornered by one difficulty, he can escape through some other opening. Still, this is what I find, after sitting under a shower of anathemas so thick and so diverse that if one escapes here, one is caught there. One is anathematized by Trent, who denies that marriage is one of the seven sacraments instituted by Christ Himself; who advocates polygamy; who asserts that the Church cannot dispense from or add to the Levitical prohibitions by decreeing diriment impediments, or that a marriage celebrated but not consummated cannot be dissolved by a solemn profession of religion by either of the parties; or who says that the Church has erred in saying that the bond cannot be dissolved by the adultery of either party and that the innocent party cannot be remarried, or that the Church has erred in allowing separation for many causes from bed and board; or who says that the clergy or the members of religious orders can marry if they find that they have not the gift of chastity; or who says that the married estate is to be preferred to the celibate estate; or who says that the prohibition of solemnization of marriage at certain times of the year is superstitious and tyrannical; or who condemns the benedictions and other ceremonies which the Church uses; or who says that matrimonial causes do not belong to ecclesiastical tribunals. It seems pretty difficult to escape from being anathematized under some one or other of these various heads.

In Thein's "Ecclesiastical Dictionary," I find the following statements, which show, among other things, how extremely difficult it is to bring home even a statement of fact in regard to the Roman attitude towards this question of divorce:

"Even in the West, we must admit there has been more than once, in several countries, especially in epochs of ignorance or moral weakness, unfortunate retrogressions in handling this question of divorce. Through ignorance or through condescension to the often violent demands of the powerful, several writers, several prelates, even several particular councils have sanctioned or permitted divorce in case of adultery. But history proves that it was always against the will of the Apostolic See. The Pope never ceased to maintain the sacred indissolubility of the family, not as subservient to his own fancies or interests, but according to the laws and rights which he received from God and the Apostles through tradition. Indeed, tradition grants to the Roman pontiff the right to dissolve under certain circumstances a marriage contracted in right but not confirmed by fact: and tradition grants the same pontifical power to absolve from the solemn vows of profession made in a religious order. Let us remark, however, these are very peculiar cases and very rare, five or six perhaps per year in the entire world. There are, it must be again admitted, cases of nullity which, duly established by ecclesiastical authority after very rigorous inquiry, lead to sentence of separation, not of divorce, because the marriage never did exist. These cases are equally rare."

And at the close of the article comes this paragraph:

"The few failings which were noted from 1803 to 1805 in some French officialties, especially in that of Paris, on the subject of the divorce of Napoleon I, have absolutely nothing to do with the matter. Rome never had anything to do with the second union of the Emperor. And Pope Leo X in his Encyclical '*Arcanum*,' of February 19, 1880, affirms that Pius VII most courageously resisted Napoleon, who, exalted by his successes and by the grandeur of his empire, was deaf to the commands of the pontiff; and Pius VII himself, in 1813, writing to Josephine, Napoleon's first wife, says to her, in speaking of the Emperor, 'Your husband.'"

And then follows, in the same "Ecclesiastical Dictionary" from which I have quoted, this list of diriment impediments which nullify a marriage:

"Clandestine marriage without the presence of the authorized priest and two witnesses; lack of reason or proper age; the solemn vows of chastity implicitly contained in the reception of the subdiaconate, the diaconate and priesthood, and taken by members of religious orders; proximity of relationship; disparity of religion between a Catholic and an infidel; absence of free consent, that is, when marriage is forced on any one by violence or unjust menace of a serious nature, fraud, error, etc."

The important question, it seems to me, is not the ability of Rome to defend herself against merely verbal criticisms, but the

impossibility of defence against the immoralities resulting from the definitions of impediments, the declarations of nullity and the dispensations for marriage afterward, often only discovered and declared, and used as reasons and excuses for getting rid of an unhappy marriage and finding a way for entering upon another. Even if the fifteen diriment impediments are reduced to eight or nine, there is much room for most dangerous use of them: the introduction, for instance, of spiritual affinity by which sponsors cannot marry their godchildren, nor parents marry the sponsors of the child nor the person who baptizes it; the definition of clandestinity in force in certain places in the United States, making a marriage invalid without the presence of the parish priest and two witnesses. And again, whatever ruling the Church might make or has made against the marriage of converts to heathen, and however delicate and difficult the question is, historically speaking, about the marriage of the unbaptized, the declaration that a marriage between a baptized and an unbaptized person is null and void, used, as it was used a year ago in New York, may be and has been as grave a scandal as any of the divorces among people prominent in social circles.

Dealing, then, not with abstract theories, but with the concrete practical problem here in America, it seems to me really true to say that Rome justifies and practically sanctions what amounts to divorce, although it is not called so, in the freest possible way, unless both parties to the previous marriage are Roman Catholics.

According to the Roman Church, marriage being a sacrament, and no one being able to receive the grace of a sacrament unless he is a Catholic Christian, it follows that the marriages of persons who are not Roman Catholics are not sacramental and have no sacramental grace or sanctity connected with them. They are simply legal contracts which the law creates and which the same law can dissolve. Some Roman theologians hold that, if both parties are baptized, their marriage is Christian marriage, though they have no grace of the sacrament unless they are Roman Catholics; but the modern Roman fashion is to rebaptize all converts to Romanism, and so to invalidate all baptism but Roman baptism. So that even when both parties to a marriage are baptized persons, unless they are both Roman Catholics, the marriage is merely a legal contract. Whatever difference there may be as to the theory, the practical fact is that Rome regards

as dissoluble the marriages of all unbaptized persons, marriages between an unbaptized person and a baptized Christian who is not a Roman Catholic, marriages between a Roman Catholic and a non-Romanist, baptized or unbaptized, which has been contracted without dispensation. If this is true, and I believe it cannot be denied, it certainly follows that Rome cannot proclaim herself as the special guardian of the institution of marriage.

Gury's "Compendium of Moral Theology" contains 110 pages, closely printed in double columns, on marriage, 42 dealing with impediments and 15 with dispensations. They do not, of course, differ in statement from the other authorities, but in the application and elaborate explanation of these statements some curious things occur. He gives the fifteen diriment impediments, "*in versibus expressa,*" explained and commented on at great length, opening innumerable opportunities for the parting and remarrying of people; and he winds up a list of just causes for dispensation from these impediments with twelve instances, three of them certainly somewhat suggestive, namely, "*excellentia meritorum erga Ecclesiam, conservatio bonorum in illustri familia, larga eleemosyna in pia opera refundenda.*"

Thein speaks of these questionable dispensations as very infrequent. But Dr. Fulton sustains a statement which he makes—"The Court of Rome, for a sufficient fee, not only allows marriage with a deceased wife's sister, but, while it professes to prohibit marriage with a third cousin's widow, as we say, it readily permits any man who can afford the stipulated fee to marry his niece or even his aunt,"—with this note, which he quotes from Smith's "Dictionary of Christian Antiquities": "Under the shadow of the system of dispensations, the practice of marriage with nieces and sisters-in-law has become once more not unfrequent." Cardinal Guibert, complaining that the infractions of the rules as to intermarrying within the prohibited degrees have become alarming in their number, says: "Marriages between uncles and nieces, between brothers-in-law and sisters-in-law, which used to be unknown or almost unknown, have multiplied in these latter times to a degree which stuns us, inasmuch as it is a grievous weakening of the practice of the Christian faith." The Archbishop can complain of the evil, but he cannot overcome it, and he acknowledges that this state of things is worse in the rest of France than in Paris.

The late Bishop of London, Creighton, in presenting a report of the Committee of Convocation on Divorce says:

"Attempts to take the letter of the mediæval law, and to infer from it that there was a corresponding practice, are very often exceedingly misleading. It is not that the Church at any period whatever had any doubt that marriage was indissoluble, but it seems to me that there is no point upon which the Western Church displayed such incompetence (for I can call it by no other name) as its dealing with the question of marriage. Marriage was a matter which was left entirely in the hands of the Church. Ultimately, as a matter of fact, the State had to interpose because the Church had reduced matters to such extraordinary confusion. While it is perfectly true to say that a valid marriage properly contracted was indissoluble, yet, during the greater part of the Middle Ages, it was almost impossible to say what a valid marriage was and how a valid marriage could be contracted."

Really the expression used by the present Bishop of Bristol, Dr. Brown, is none too strong: "The artificial barriers to marriage which needed the Pope's dispensation were so numerous and so complicated that the lawyers must have been dull who could not find some excuse for getting a marriage declared void because of the absence of dispensation." A modern historian, once himself a Roman Catholic, has put the matter thus flippantly but not untruly: "The emperors, kings and dukes kept an Italian conjurer to turn wrong into right. The conjurer could legalize illegal marriages, and if they turned out ill, he could unmake them."

I am quite aware that this paper is open to criticism, to controversy and to contradiction. I honestly believe that, so far as the practical effect of Rome's dealing with the whole question is concerned, whatever honor must be paid to the broad declaration which Trent made about the indissolubility of marriage, history has shown, in the past and in the present, that what I said is true, that "the multiplied possibilities of remarriage by innumerable grounds of dispensation and countless definitions of prenuptial impediment" dilute, if they do not destroy, the value of the declaration, and are equivalent to the non-Roman or Protestant recognition of divorce from the bond.

WM. CROSWELL DOANE.

THE COMING CRASH IN RUSSIA.

BY KARL BLIND.

I.

"Ça ira!" ("It will succeed!") was the frequent answer of Franklin during his mission at Paris, to those Frenchmen who doubted the possibility of a final triumph of the American War of Independence, with its often-changing ups and downs. In later years, during the great French Revolution, Franklin's expression was embodied in a well-known terroristic song dinned into the ears of many a victim of popular wrath.

"Ça ira!" may be said of the present constitutional struggle in Russia, in spite of repeated reactionary counterstrokes. And let the Tsar bethink himself in time, lest, in an uncontrollable storm of fury among downtrodden classes and races, scenes should be enacted which all friends of humanity would see prevented.

Russia's Grand Inquisitor, the head of the Holy Synod of the Orthodox Church, means to bind the Monarch to the maintenance of strict despotic rule in the name of the oath he has taken as "Autokrator." Against the Tsar's violation of the oath he took as constitutional ruler of the Grand-Duchy of Finland, the clericalist Tartuffe has nothing to say. But to grant a measure of representative institutions to a people which has become sick of arbitrary imprisonments; sick of the horrors of Siberia for political suspects and patriotic offenders; sick of the infamous massacres of Blagovestchensk, Kisheneff and Gomal; sick of the corruption and malversation in every branch of the civil and military administration; sick of a mendacious diplomacy which is loathed by the whole civilized world; sick of the foul and positively criminal intrigues in the concerns of neighboring nations; sick unto death of an aggressive, never satisfied, ambition which results in inefficiency and in horribe catastrophes—to grant a

measure of representative institutions as a means of warding off further unbearable evils of this kind, that, forsooth, would be an unforgivable dereliction of monarchical duty, in the eyes of the holy man of the Orthodox Church.

"By Thy unlimited will," the heartless clericalist monster writes, "Thou hast sent out to the war hundreds of thousands of sons of the Orthodox Church. Thou hast the right, as Autocrat and as the Anointed of God, to do everything Thou likest in accordance with Thy Wisdom and Thy heart's desire—to send them unto death, or to show them Thy grace. Thou hast the right to let Thy Mercy or Thy Anger be felt by any one Thou dealest with. But do not forget, O Tsar, that Thou hast not the right to break Thy coronation oath, sworn in the Uspenski Church, when Thy sublime countenance was shining with rays of illumination, and Thou didst bear the symbols of irresponsible power given to Thee by Thy ancestors!"

It was for the object of undoing the effect of the wise and sensible letter of Prince Trubetzkoi that the sinister mouthpiece of clericalism addressed himself to Nicholas II. A very plain warning had been given to the Monarch by the Prince. The Prince reminded the Tsar of a famous historical saying: *"Ce n'est plus une émeute; c'est une revolution!"*

Twice that historical saying has been followed by an issue fatal to a monarch who would not listen to warnings until it was too late. In the first instance, it was the Duke of Larochefoucauld Liancourt who uttered the words in question to Louis XVI at the storming of the Bastille, in 1789. In the second instance, they were repeated by Marshal Marmont to Charles X on July 28, 1830. "I had the honor," the Marshal wrote in his report, "to inform Your Majesty that the crowds of people who disturbed the quietude of the capital had yesterday been dispersed by force. To-day they assemble anew—more numerously and more threateningly than before. This is no longer a seditious tumult *(émeute)*. It is a Revolution. Now it is the highest time for Your Majesty to take measures for the restoration of peace."

But it was too late—the Bourbon dynasty fell.

II.

Prince Sergius Trubetzkoi, who has given to Nicholas II such terrible but timely warning as to the danger that would befall

the person of the Monarch himself, if no Parliament were granted, comes from a noteworthy ancestry. His family hail from the former ruling Grand-Dukes of Lithuania. In the seventeenth and eighteenth centuries the Trubetzkois were already known as favoring the cause of progress and enlightenment. The present holder of the name is one of the wealthiest landowners in Russia, and one of the most highly cultured members of the aristocracy. He is distinguished for his efforts to raise the sadly neglected educational status of the masses, whom Tsardom purposely leaves in a condition of ignorance useful to absolutistic rule. He resisted the reactionary measures of Plehve. He supported Schipoff, the well-known organizer of the Zemstvo movement. As President or Nobiliary Marshal of the Provincial Diet of Moscow, he has exhibited signal courage. After the recent disturbances among the Army Reservists, who refused obedience to the authorities and committed excesses on the Crown domains, Prince Trubetzkoi personally went to the Tsar to explain to him the great perils of the situation.

Some details as to the military rising of 1825, in which an ancestor of Prince Trubetzkoi took a prominent part, will here be in place. It was after the wars successfully waged by Germany and Russia against Napoleon I that much commotion arose among the educated civic classes, as well as among the army officers, in the Tsar's Empire. The Russian troops had passed and repassed, in 1813-15, through Germany and France, and seen and heard there a great deal which formed an enormous contrast to the state of things in their own country. The officers, at all events, became deeply impressed. From that time, Liberal ideas began to spread. Gradually men bethought themselves of acting on the lines of the German *Jugend-Bund,* and of similar secret societies, which had worked for the overthrow of the Corsican tyrant, and which then still endeavored to forward the cause of national and constitutional aspirations in the Fatherland.

The first attempt of that kind in Russia was made at the headquarters of Prince Wittgenstein, in Lithuania, the ancestral home of the Trubetzkois. Two brothers Murawieff were the prime movers in so far as, going from Lithuania to St. Petersburg, they sounded other officers belonging to the Imperial Guard, among whom they found a ready response. Nothing of any importance occurred, however, until Colonel Pestel, an adjutant of Prince

Wittgenstein, became the virtual leader. Of German descent, but born in Russia, he had been educated at Dresden, and afterwards became an Imperial page in St. Petersburg. His father was Governor-General of Siberia. Having bravely fought in the campaigns against France, young Pestel rapidly rose in rank. It is supposed that he was the founder, in 1817, of the clandestine "League of Well-Being," also called "The Worthy Sons of the Fatherland." A number of those conspirators were by no means opposed to the dynastic principle. They rather, like Stein, Hardenberg, Gneisenau, Arndt and Jahn in Germany, sought to save monarchy in spite of itself.

Soon, however, that League was dissolved, and a new one founded, as "The Society of Public Welfare." Its statutes were copied from those of the German *Jugend-Bund.* French, German and English ideas of progress were the theme of discussion. The majority of the members were in favor of the emancipation of the serfs. Admirals, Generals and a number of other officers, with some writers, were banded together in this secret society.

There were two chief branches of the secret "Society of Public Welfare": one in the North, with St. Petersburg and Moscow as head centres; and one in the South, with Kieff and some other towns in the same position. In this new Society, Paul Pestel and Nikita Murawieff became the leaders. Presently, almost the whole staff of Field-Marshal Prince Wittgenstein joined the conspiracy. Among the highest nobility, in the upper circles of the civil administration, even in the close surroundings of the Court, there were associates.

Pestel, a man of unshakable courage and energy, carried in the Society of the South a resolution to the effect that, after the overthrow of Autocracy, the serfs should be emancipated, with a grant of freehold land. In the discussions as to whether a constitution on the English pattern should be adopted, he conceded to those who were in favor of it that this might be good; but, for his part, he "would prefer the American Constitution, which would be good for everybody, not only for lords and merchants." He thought that by physical force alone could an absolute ruler be made to cede a portion of his power.

At St. Petersburg, the reconstructed Society had at first Prince Trubetzkoi at its head; then Nicholas Murawieff and Prince Obolenski. I pass over some other secret associations, such as

the "United Slavs," and a Polish League which was brought into connection with the Society of Pestel.

Pestel was at the head of a regiment which was held to follow him wherever he would lead it. The plan was to wait for the day when Alexander I would be at Taganrog for the manœuvres. On that occasion, the Tsar, Prince Wittgenstein and some Generals who kept with the Court were to be arrested. A fortress was to be seized, and then the signal for the Revolution at large was to be waited for in the shape of an insurrection of the friends at St. Petersburg and Warsaw.

The full amalgamation between the two branches in the North and the South, which Pestel sought to bring about, was, unfortunately, hampered by many difficulties; the men in the North being not so fully imbued with democratic ideas as those in the South. Still, a number of those in the North declared that if the Tsar could not be induced to accept constitutional terms, nothing would be left but to *banish the whole Imperial family.* In the later Report of the Judicial Inquiry which dealt with the events of 1825, it is asserted that Colonel Schweikoffski even proposed sending men to Taganrog to take the life of the Tsar. Artamon Murawieff, the Report asserts, offered himself for the deed.

Whilst the rising had been planned for the year 1826, Alexander I unexpectedly died on December 1st, 1825. This in great measure disconcerted the plan. Yet, the equally unexpected publication of the Act of Resignation of the real heir presumptive, Constantine, which for a short time threw Government affairs into confusion, seemed to be a help to the conspirators. On December 26th, 1825, they rose in arms in the capital. A few days before, a number of them, such as Prince Trubetzkoi, Ryleieff the poet, Bestujeff, Prince Obolenski, Prince Rostoffski, young Prince Odoeffski—an officer of the Horse Guards who kept them informed of what was going on in the Palace—had met at night for concerting action. They hoped that, in presence of a military insurrection, Nicholas could be forced into the acceptance of constitutional terms; if not, into a renunciation of the Crown. In the latter case, a provisional Government was to be set up, in which Prince Trubetzkoi would occupy a prominent post. A Constitutional Monarchy was the aim, with two Houses of Parliament.

On the day of the outbreak of the Revolution, St. Petersburg was filled with cries for a constitution. A portion of the Guards

and several companies of the Marines rose against Nicholas I. During this insurrection, shots were fired against the new Emperor himself, when he attempted to bring these troops back to obedience. But for the energy of Prince Eugene of Würtemberg, the day might have been decided against Nicholas I.

There is a Memoir of Baron Korff, published by the order of Nicholas himself, in which it is said that the Tsar was unable on that day, from morning till late at night, to partake of any repast, and that he never went to bed the whole night. He remained up in uniform, personally examining the chief prisoners. The Empress Alexandra had, from the excitement, "lost her voice and all strength." "All the Imperial children passed the night in two rooms, as in a bivouac."

In the South, sanguinary events took place in the mean time. Pestel, together with some of his chief associates, had been arrested in consequence of a secret denunciation. However, by the bold action of other officers, who went forth with some companies, these leaders were freed, and then a battle followed between the insurgent troops and the division of General Geismar. One of the Murawieffs fell. Another, severely wounded, was made a prisoner. Thus the movement in the South came to an end.

Pestel, Sergius Murawieff, Ryleieff, Bestujeff-Rumin, and Kahoffiski suffered death on the gallows. Prince Trubetzkoi was, at the prayer of his wife, spared from death, and carried off to Siberia with eighty-three other leaders. The insurgent soldiers of the Guards were sent against the mountain tribes of the Caucasus. Nicholas Turguenieff distinctly asserts that the most abominable atrocities were committed against the prisoners:

"The answers and the declarations of the accused of 1826 resemble too much those which were formerly drawn out by the system of torture not to have been the result of analogous means. . . . The Minister of War having been informed that Colonel Pestel had just been led into St. Petersburg, the first words which came from the Minister's lips were *an order to subject him to the torture.* I purposely use here a general expression, not wishing, by a more precise statement, to add disgust to horror."

III.

Such were the means by which Nicholas I came to the throne as an Autocrat. How now about Nicholas II, who once declared that he would walk in the footsteps of this ancestor of his?

No longer has the present Tsar only a class of dissatisfied nobles and military officers to contend with. True, the great land-owners, the aristocratic heads and the general members of the Provincial Diets, are decidedly against him; but the University students, the medical men, the engineers, the mass of public writers, the working-classes in the towns, the village teachers even, are now actively in the movement for the establishment of a Parliament. In many provinces of Old Russia, agrarian discontent and riots add to the critical situation; at the same time, there is unrest in Finland, in Poland, aye, even in those south-western provinces of European Russia, where there is a Ruthene-Slav population of a type distinct from the Muscovites, and with an oppressed language of its own. Nay, in the Armenian province of the Tsar's Empire there are signs of danger. Everywhere there is discontent or open revolt.

Among the strange things which have latterly happened in Russia more than once, a kind of demonstration must be mentioned which gives peculiar importance to the timely warning Prince Trubetzkoi recently addressed to the Tsar. At Kieff, which is the most ancient capital, there is a "Literary Society." In a largely attended meeting of that Society, speeches were made by several University Professors on the given theme: "What Russia Is In Want Of." The audience was composed of about 800 persons; among them, many lawyers, even Crown Attorneys; a great number of the provincial bureaucracy; some officers of the army; ten University Professors, and various notable citizens. All the speakers came to the conclusion that "only a constitution can save us."

But more extraordinary than anything was this: "At the mention," so the fully authenticated report says, "of the name of Balmasheff, the assassin of Sipiaguine, those present honored the memory of Balmasheff, who was hanged, by rising from their seats! Lastly, the health of Sassanoff, the slayer of Plehve, was drunk after the lectures. Lawyers and officers, applauding the toast, raised their glasses as well."

A similar demonstration occurred afterwards again at one of the greatest political banquets at St. Petersburg itself, where medical men, professors, public writers, engineers, and other men of the cultured classes had foregathered. There, too, the whole assembly rose in honor of Sassanoff and his associate. It is always

so in times of turmoil when men are driven to despair by an unbearable despotism.

IV.

Professor von Reussner, who for years taught Public Law and Criminal Jurisprudence at the Russian University of Tomsk, has expressed the conviction that, "if the Tsar does not resolve upon granting a constitution, thus giving the Russian people the minimum of what even the Japanese possess, a Revolution is inevitable." Being asked from whom the Revolution is to proceed, seeing that the middle class, the "Third Estate," is not so developed in Russia, he answered that in his country it was not the "Third Estate" but the "First Estate," so to say, from which the initiative has come—namely, from all those who possess property and intellectual culture. He went on:

"By nature the Russians are not revolutionists. We are much too heavy and slow-going as a race; and it is a perfect wonder that things have come to such a pass, that the revolutionary flames are bursting forth in every direction. The war has effected this miracle. All classes of the nation are struck most heavily by this war. The towns and the rural communities are deeply affected by it to the same degree of suffering."

He then describes how, until lately, the Russian landowner was rather averse to ideas of political opposition. The war has roused him. His laborers are taken from him by military mobilization. The wages he has to pay rise correspondingly in the absence of sufficient hands. His produce cannot be disposed of, as the Army Administration has seized hold of all the railway trains. There is a dangerous fermentation among the peasantry, threatening the life and the property of the landowner. Industry, too, is paralyzed among the manufacturing class and its workmen. There is great fear as to the impossibility of maintaining the gold standard, which is but artificially kept up by continual loans abroad. Family life has become terribly disturbed, the upper ten thousand being now also drawn into the military vortex. Any one going to the Far East looks upon his forced departure as the probable end of his life; for it is generally held that what happens in that distant region is no longer regular warfare, but mere massacre. "Hence all Russia is filled with hatred of this war, and of the political state of things which has brought it about?"

"Down with the war! Down with the Autocracy!" is a cry heard from one end of the Empire to the other. Desertions increase; chiefly among Poles and Jews, which latter in Russia are still reckoned as a separate nationality, and in various provinces are thickly settled together.

Even among the backward part of the *mujiks,* who have hitherto only cared for questions concerning land tenure, the agitation for popular representation in Parliament has begun to make its mark. The colossal strike movement among the working-class at St. Petersburg and in other industrial centres, on whose activity depends the supply of the Army and Navy, is another grave sign of the situation, all the more so because its leaders have also joined the call for the establishment of a Parliament, and of all the other rights of civic freedom, as well as for full political amnesty and the recall of the exiles.

Though manufacturing industry has latterly been more developed in Russia proper, its chief centres are in the western provinces—in what Tsardom is pleased to call the "Vistula Department"—in other words in Poland. There are several distinct groups of malcontents in that ancient Polish Kingdom or Republic. They are: the National Democratic party; the so-called party of Reconciliation ("Ugodowcy"); and the Socialist League. All these actually wish well to the arms of the Japanese enemies of Tsardom. Various publications and manifestations of this sufficiently indicate those sentiments more or less strongly. The National Democrats and the Socialists speak openly in this sense. The Party of Reconciliation, which in the beginning advised greater caution, at the same time refrained carefully from anything that could be supposed to be in favor of Russia. Of late that party has confined itself to demands of reform, whilst the Democrats and the Socialists have organized demonstrations of the most energetic kind.

During a conflict between Polish workmen and Cossacks at Warsaw, a short time ago, the Chief of the Police, Nolken, received a blow on his head; whereupon shots were fired by the Cossacks, and three workmen were killed, sixteen wounded. Among the crowd, cries were uttered: "Down with Absolutism! Long live Poland!" At the departure of regular soldiers and Reservists, the most tumultuous scenes have repeatedly taken place at the stations. The Russian authorities have been engaged

since in "purifying" the Railway Administration from Polish officials. Of the Reservists, many thousands have escaped across the frontier, into Austria-Hungary. At Lublin, where a kinematograph of the Russo-Japanese war was shown, the march of the Japanese across the Yalu was received with cries of "Long live Japan! Bravo, Japan!" The representation was then suddenly stopped. Ever since, many Polish towns have afforded the same spectacle of riot and bloody encounters with the Cossacks, who, as a race apart, have always been used against both Muscovites and other nationalities, like the Finns and Poles.

Even the most moderate Polish party, headed by the Catholic Bishop of Warsaw and Count Tyszkiewicz, have handed significant demands to the Government at St. Petersburg. A meeting for that purpose, composed of 105 persons of notable position, was held in the palace of the Count. The resolutions adopted call for the reintroduction of the Polish language in schools, in courts of justice, and in Government offices; the reestablishment of the right of Poles to be appointed to public offices in the Kingdom of Poland; religious toleration for Catholics and Uniates; self-administration for the towns, and the introduction of Provincial Diets (Zemstvos) in Poland, with simultaneous maintenance of the existing Polish village communities.

V.

On the furthest confines of the Empire, in its Armenian provinces, there has recently been founded a "Revolutionary National Armenian Federation," which aims at independence from the rule of the Tsar. In those Russian provinces, the Armenian race is in reality in the majority, though intermixed, here and there, with Tatar villages.

The Russian Government has once more exhibited its tyrannical character by the recent lawless seizure of Armenian Church property for the benefit of the Orthodox Russian Church. Hence, deep dissatisfaction in that region, even as in Poland and Finland. An organization of national and popular forces has been the result, which has mapped out the whole Armenian district of Russia for military preparation by means of Rifle Clubs; as well as for the administration of justice by "People's Tribunals," to which the Armenian peasantry resort in cases of litigation and for raising the educational status of the masses.

A "physical force" or terroristic branch of this Armenian Federation deals mercilessly with the most hated tools of the Tsar's Government, and with spies and traitors. Recently, its "Committee of National Defence" has issued a manifesto against the participation of Armenians in the war in the Far East, on the side of Russia. If the Tsar should order a mobilization among those subjects of his, lively occurrences may be expected of the same kind as in Poland.

Meanwhile, a great deal of violent action has been going on in that southeastern quarter of the Empire, both on the part of the Armenian Federationists, and of the Russian Government. Thousands of malcontents have been arrested; a number of them exiled to northern Departments; others kept imprisoned. Dragonnades—Cossackades, so to say—in the style of Louis XIV of France, have also been used by way of an "execution," about 100 to 200 Cossacks being quartered for some months upon Armenian villages where outbreaks against the Russian authorities had taken place. As another means of overcoming Armenian resistance, rumors were spread by Muscovite agents that the Armenians meant to massacre the Tatars settled among them. But the hope of thus getting the Tatars to "take measures for their own security" has so far been foiled. They saw through the dirty trick and remained quiet, not being molested by the Armenians, among whom they live.

Look wherever we may, the walls of the great prison-house called the Tsar's Empire, are showing cracks and signs of crumbling.

In the Nobiliary Diet of the Province of Twer an event has recently occurred which may find imitation in other Provincial Assemblies, and which is calculated to paralyze the Departmental Administration in the matter of taxation. A new Marshal of the Nobility for the Diet had to be elected; but the election of such a president could not be carried out, because every one of the candidates proposed refused to stand. One of them, Rodischeff, explained his refusal in these words: "In this present critical time, my place is not behind the Government table, where impartiality should be the rule, but in the ranks of parties, where an irreconcilable struggle of life and death is carried on against Bureaucracy, 'that inky plague' which oppresses all Russia. We shall fight for Right, Law and Freedom."

This speech was received with long-continued thunderous applause.

The Assembly then sent telegrams of warmest sympathy to Prince Galitzin, the head of the town of Moscow, and to Prince Trubetzkoi the two foremost champions of the Parliamentary cause. "All thinking Russia," it was said in the telegram from Twer, "is on your side, and an early victory cannot be doubtful." Another telegram was sent off to the Finnish Legislature at Helsingfors. It said: "The members of the Nobiliary Government Assembly of Twer send their sympathetic greeting to the Finnish Diet, and express their firm conviction that only in a free cooperation of all independently organized public forces of Russia and Finland is the guarantee to be found for the happiness and the progress in culture of the two nations."

Will Nicholas II still not listen to reason and to the claims of the most moderate men, whilst there is yet time for him? Will he wait till some of the troops begin to mutiny?

Nearly twenty-six years ago I wrote thus on the movement then going on in Russia:

"A despotism founded on the backwardness of the masses may for a long time keep its power, in spite of the more intelligent section of the community. But when this section, though a minority, takes resolute action, the despot may be overthrown by a revolution achieved by a comparatively small circle of men. The inert great masses are then no real obstacle. A palace conspiracy, aided by outsiders in influential position, may oust or cow the tyrant, and effect a change in the Parliamentary sense. And if, in a despot-ridden country, things are to be bettered at all, some first attempts of the kind must be made, at one time or other, without waiting for the slow process of the gradual enlightenment of the masses—or else a country would be kept forever in a vicious circle. Despots do not grant the rights necessary for such gradual education. Macaulay saw this; and he was not a revolutionist of very pronounced type."

After a quarter of a century, many layers of the Russian population have so far advanced that there is now one of the best chances of victory over an antiquated, barbarous and internally corrupt Absolutism. The hearts and the hopes of all freemen throughout the world are with those who have manfully entered into the struggle with the autocratic fiend.

KARL BLIND.

A DREAM AND A VISION.

BY IRA SEYMOUR DODD.

I HAD been reading Doctor Cuyler's "Recollections of a Long Life." The book brought back a troop of memories. Especially what it said about the preachers and the preaching of forty or fifty years ago, seemed to make my own past alive again.

I laid the book down; I was alone and the house was quiet. The wood fire in the grate, a luxury which the extravagances of the anthracite strike had made a necessity, had burned down to glowing coals and reminded me of my grandfather's more generous fireplace. I fell into a reverie, in which past and present, with sharp contrasts, were curiously mingled. And, presently, the reverie passed into sleep, and, as I slept, I dreamed.

I was a boy once more. It was a Sabbath morning: the air was sharp and frosty, the ground covered with snow. With my father and mother and brothers, I was on my way to church. Yes: we always went to church: that was a matter of course. Neither cold nor heat nor storm kept us at home; and, on such a morning as this, the walk of a mile or more was a rich delight. If we boys had to go along soberly and couldn't run and roll in the snow, because it was the Sabbath, there were compensations. One was the sleigh-bells as loads of other families living at greater distance than ourselves passed us on their way to the church. And another was seeing the people, friends and neighbors, all, like ourselves, in groups of families and all going one way.

Presently, I found myself in the family pew. Everything was familiar; the high-backed seats, the tall pew-door, the lofty pulpit, the choir in the gallery at the rear, the great window near which I always sat, often wondering during sermon time, as I measured its deep embrasure with my eye, whether the stone walls of the building were not at least three feet thick.

But even in my dream there was a mingled consciousness. I was a boy; and, yet, I was something more. Either I was a boy whose life in some strange way had been projected into his own future, or else, I was just a boy *again*. The note of time was all confused; I found myself contrasting what I saw about me with some later and also familiar life. I remarked things which, I am sure, as a boy I never particularly noticed. For example, the congregation seemed large for such a cold day. The great church was well filled; and I asked myself impatiently: "Why not? It is always well filled every Sabbath day." But I seemed to have a recollection of other churches in which, on such a day as this, there would be only a handful of people. Then, too, the large number of young folks as well as of old people: boys and girls, fathers and mothers, and gray-haired grandsires and matrons! And, what was most striking, they were not sitting apart, but all gathered like ourselves into family pews. And again I said: "Why not? It has always been so; it would be unnatural otherwise." But the shadowy consciousness of other congregations would intrude,—congregations where everything was more promiscuous, and the whole atmosphere was more that of an entertainment. Boy as I was, that shadowy thought shocked me. "Can it be that people ever go to church for anything else than to worship God?" I had to admit that, occasionally, I fell asleep during the long prayer, and that I was often reproved by my mother for gazing out of the window, and that I sometimes forgot everything else while I looked toward that pew full of blooming girls between us and the pulpit. But then, I knew these things were wrong, and that I ought to be reverent and attentive.

I cannot very distinctly remember the subject of the sermon of my dream; but it was long, it dealt with profound and solemn doctrine, and I do remember the way in which the preacher appealed constantly to Bible texts, as though every word of that Book were positive and final truth. Again that disturbing shadow of something quite different crossed my consciousness, and it was more shocking to my boyish mind than any mere levity in worship. "What! can it be that any one doubts whether every word of the Bible is true?" The next time the preacher used a proof-text, I looked around on the congregation with a fearful curiosity to see whether I could detect any latent skepticism of such awful sort in any of their faces.

Then another fact struck me. I knew everybody in that church. By no means were all of them, in the phrase of the day, "professing Christians." There was Squire Hildreth, who certainly was quite worldly, and was reported to be somewhat dissipated; and there was Miss Gibbons, who read novels and was suspected of a tendency toward freethinking; and there was Mr. Hard, the tavern-keeper, the bar of whose hostelry was the best patronized of the few drinking-places in town; and in the gallery were several young men who were reputed "wild," and,—yes! there also was old Peter the village drunkard, whose known infirmities made people indulgent of his irregular attendance at public worship. But he was here to-day. All these sinners were at church. I remembered that, with the exception of Peter, they were always at church. Yes, everybody attended public worship. Not to do so would be to incur a sort of social ostracism.

It was relief unspeakable to be assured by my scrutiny—which, in some peculiar way, seemed endowed with power to read the very thoughts of those into whose faces I peered—that not one, saint or sinner, questioned for a moment the absolute and complete truth of the Bible.

It must have been the relaxed tension of this assurance that awoke me from my dream.

There lay Dr. Cuyler's book on the table beside me, and I said to myself: "Of course, his preachers were eloquent and their preaching greatly effective, for they preached to just such congregations as I saw in my dream. Doubtless there were differences, just as there are now. The cities were less homogeneous than the villages and smaller towns; but, in a large and true way, my boyhood home was a type. Church-going was the fashion everywhere, family religion was prevalent, the church was a cherished institution, the preacher spoke with authority, his message was received with general respect, and the Bible, the foundation of his message, was a court of final resort regarded by saint and sinner as true from cover to cover.

"Whether those former days were better than these is another question. There was plenty of sin; there was some infidelity of a rather shallow and not very influential sort; there was abundance of cold orthodoxy and empty profession. The very fact that church attendance was a social requirement fostered a deadening religious conventionality; the very literalness with

which the Bible and a certain stereotyped form of theology were accepted tended to narrow men's thoughts, and blind them to some of the most glorious truths of divine revelation. There is always a fly in the ointment of religious conditions; but there have been far worse conditions than those of forty or fifty years ago.

"And, whatever fault may be found with that recent past, certainly it was a great time for the preachers. A more favorable environment for the successful preaching of the gospel has seldom been known. No wonder there were pulpit giants in those days!"

Such were my reflections as I mused upon my dream. But my fire had died to ashes, and I went to bed and to a troubled sleep in which my dream, in fragments, with fantastic variations and absurd commingling of the past and present kept repeating itself.

The day following, a busy one which included a trip to the city, brought me into contact with all sorts and conditions of men; and constantly I found myself asking, How would those old preachers, even the giants among them, deal with these crowds? How would they meet the skepticism, the agnosticism, the practical materialism, the deep and intense worldliness of to-day? Surely they would find their vantage-ground all gone from under them.

With astonishment, with deep amazement and sore perplexity, they would miss the things which used to be taken for granted and which formed their standing-ground. For men no longer think or feel as they used to about heaven, or hell or an inerrant Bible. Church-going is no longer a social necessity, the Sabbath is not the Sabbath of fifty years ago. The world is a different world. It is a larger world, far more highly developed—and, yet, a smaller world, whose most distant boundaries can be quickly and easily reached, whose most obscure corners are known, mapped, explored and exploited.

Evening found me once more in my quiet room. The dealer had condescended (at a price) to send half a ton of coal to the house during my absence, so that this time, instead of a wood fire, the grate was glowing with anthracite. I took up a book which had just come from the library, and without stopping to look at the title dipped into its pages. It proved to be an at-

tempt to state Christianity in the terms of evolution. The author had much to say about "religion," which, in his view, was a product of the human soul. Generously admitting, even enthusiastically proclaiming, that the Gospel of Christ was a great factor in the evolution of spiritual life, this writer, it was evident, regarded evolution itself as the real and great gospel.

The airy assumptions, the forced cheerfulness, the real coldness and inconclusiveness of the book depressed me. I glanced at the title-page and saw that it was the much admired "Spiritual Excelsior," by the Rev. Dr. Worldbourne.

I laid it down beside Dr. Cuyler's Recollections, and again fell into reverie. What is the meaning of this deep, this wide-spread, unrest, religious, social, political? What is the cause of these insistent attempts to restate and resolve all the problems of life and destiny?

Are the new science and the new philosophy, the Higher Criticism and the New Theology, together with the drifting faith and lost religious practice which accompany and flow from them, simply an accumulation of penalty for our sin in forsaking the old paths? Are these new theories the cause of the unrest? Or do unrest and new doctrines alike spring from something else?

And then I remembered this great, this new, world of which I had had a glimpse during the day: this world lighted by a very Aladdin's Lamp of discovery; this world of a silent revolution, whose marvels we realize but dimly because we ourselves are so much part of it; this free, this dazzling, this dizzy world, whose past was yesterday and whose future is to-morrow, whose present is so intense, so grinding, so wearing, yet so fascinating: this world in which business no longer reckons by hundreds or thousands but by millions; yea, by billions: this world of great philanthropies and noble humanities, the comforts of whose common people were the luxuries of the rich a hundred years ago, and the luxuries of whose rich surpass anything ancient Rome in her most gilded age ever imagined: this world of inspiring prospect, of vast possibilities for moral and spiritual growth, and of anxious forebodings of possible disaster and anarchy: this most interesting, hopeful, absorbing, enchanting, yet too dangerously material, world.

I remembered that science is but another name for great and marvellous truth bursting into light, and that science, and along

with it certain basic principles of the very Gospel of Christ, are mainly responsible for the world as it is to-day; and that science in its great enlargement necessitates a new philosophy; and that the enlarged life of the world requires, not a new gospel, but a larger and more adequate understanding and interpretation of God's eternal truth.

But I thought I could see, also, that what has happened in the past is happening now. Human nature, earth-born, asserts itself. The flesh is striving, too successfully, with the spirit. This youthful, masterful world has laid its finger on the lips of thought; and thought, especially religious thought, is not really free. It is paralyzed by the touch of the world.

The error of the New Theology is not that it is new. Theology ought to be new. The science of God's spiritual world has no more right to stand still than has the science of His material world. But the error of modern theology is, that it allows itself to stray from its true source. Instead of advancing in its only true and safely enlarging direction, instead of finding its life in the upper air of God, where alone it can become really capable of leading the world, it is letting the world lead it; it is trying to interpret God's eternal truth in terms of this present and finite world.

No wonder the church appears to be losing its leading position in society; no wonder that the preaching seems less effective and the preachers less powerful!

There are, indeed, among them, men as able, as earnest, as faithful, often as truly orthodox, as any of their brethren in the past. They are doing good, useful, noble work.

Yet, they are terribly hampered by their environment; and it can scarcely be pretended that there is a single prominent preacher who is truly meeting and mastering the difficulties of the present and pressing situation.

Such thoughts—and I must confess they were somewhat confused—passed through my mind and left me with a deeply troubled spirit. I had raked out the fire and put on a little more of the precious coal as the room grew chilly, and now the grate glowed like a big golden eye. As I gazed into it, I knew not how it was. Certainly, it was not a dream like that of last night, for I felt no drowsiness as then; my senses were all acutely, painfully awake; I only know that my vision appeared to be projected into

the future—whether the near or distant future, I cannot tell. I was in a church. It was a large building which had once been fine, but now, as to the audience-room at least, was somewhat bare and shabby. I can only describe it by saying that it had the appearance of once having been a fashionable church, whose neighborhood, by the growth of the city, had become "down-town," squalid. Every seat, however, was filled; the aisles were filled; people,—mostly very plain, poorly dressed people—were sitting about the pulpit steps. Others, evidently, belonging to the wealthier classes, were standing about the doors. In fact, the congregation was very mixed. All ranks of the social order were represented; and, strange to say, there was a preponderance of men, a large proportion of whom were young men. The organ was old but fine, and there was a large choir, which, with the people, was rising to sing as I found myself in the church. To my surprise, they did not strike up either a gospel song or an old-fashioned familiar hymn; but they sang:

"Christian, dost thou see them on the holy ground?"

to Dykes's noble tune, and the congregation joined in it with a freedom that showed it was familiar to them; yet, with a subdued and solemn earnestness that was new in my experience of church music. I noticed, however, that some persons, when it came to the line,

"Christian, up and smite them!"

ceased singing with sad, or troubled, sometimes with almost angry, faces.

The hymn ceased; the preacher arose. His presence made a profound impression on me and, as I noticed, on the congregation as well. It is only by an effort of recollection that I can at all describe him; for, before I left that church, all thought of his personality had been swallowed up in something else. But, as he first stood up and paused, looking about on the people before he spoke, I saw a tall man with spare, wiry frame, no longer young, yet perhaps older in experience than in years, neatly but very plainly attired. A glance was sufficient to show that here was no well-groomed pastor of a prominent and prosperous congregation; neither could he be a half-baked popular gospeller; for about his whole personality there was the undefinable, yet unmis-

takable, stamp of the born gentleman: and, before he had spoken for ten minutes, I felt myself in the presence of a highly disciplined, serious and broad-minded scholar. But what a face! You could not call it handsome; its worn, almost wasted, lines told of deep draughts from the cup of life's sorrows, and long and patient bearing of heavy burdens. It was the face of an ascetic; yet the asceticism was evidently not voluntary, but the development of some bitter experience. The glance of those almost unnaturally brilliant eyes commingled sternness with a melting tenderness of human sympathy. And, with it all, there was the independence of conscious power. You felt that this man had long since ceased either to fear the face of man, or care for human praise or blame.

His text, read in a calm, quiet, though penetrating voice, was from one of those messages of the prophet Isaiah in which are mingled denunciation and appeal. I dare not attempt any outline of his sermon. It was too solemn, too personal, for any cold analysis.

But there were several characteristics of that sermon which stamped themselves upon my memory. One was the utter sinking of the preacher's own personality. His manner was always quiet, even refined; his language well chosen, often exceedingly striking, yet so perfectly simple and natural that the most ignorant could not fail to understand. There was not the slightest suspicion of literary effort; no hint of "See how finely I can do it." You felt that his manner and language were simply the unconscious expression of his true self.

His denunciations of sin, in high places especially, were awful, all the more so because of the evidently intimate and exact knowledge of what he was talking about, the close adherence to facts, the absence of lurid rhetoric, and, above all, the utter absence of any air of "See how brave I am!" As you listened, you forgot the man; you had, you could have, no thought save for the solemn truths he uttered, the truths which cut you to the heart. He was just a voice crying in the wilderness—a man who knew his world, yet was not of it: a John the Baptist, yet a John of the new dispensation rather than of the old. For you felt the spirit of Jesus in his appeals, and in his warm sympathy with the sorrows and even the sins of men. And, all the time, there was that singular detachment and self-forgetfulness which gave his message a won-

derful force. As you listened, you began to feel the reason for this. You felt that this man had a message from on high, and that, if he was lonely in the world, he was close to God—nay, possessed by God.

I have no idea what his denomination was, nor can I tell precisely the shade of his theology. There were sentences in his sermon which might seem to imply acceptance of the theories of modern criticism, and other sentences which showed a leaning on the bare word of God even more absolute than that of the old pastor of my boyhood days. He said things about Jesus which a Unitarian might have said; but he said other things which, in their deep reverence for the Divine Almightiness and Eternal Blessedness of Christ, went beyond the customary statements of strictest orthodoxy. In a peculiar way he seemed to be emancipated from the fetters of any human and, therefore, partial logic, and free from any care as to how men might classify him; this, not because of any oddity, natural or assumed, but because he was evidently possessed by a message whose heavenly dignity raised him above earthly distinctions, either ecclesiastical or theological. But in one most important respect he differed radically from the common form of the new theology, and that difference brought out the greatest and most impressive characteristic of his preaching. He had little to say about religion; he laid small stress on any good spun from man's own soul in his feeble feeling after God; he ignored any gospel which was in any sense the product of a human evolution. The salvation which he proclaimed was a salvation not of this world, but coming to man out of God's eternal life and glory.

This preacher had a message from God, and the message so possessed him that those who listened very soon forgot the messenger, because the message itself laid such powerful hold of them.

I looked about on the congregation. You could see by their faces that some were trying to hold themselves in an attitude of critical indifference, and some would fain have been scoffers, but with poor success. The scoffers were getting frightened, the critics troubled or angry. Especially was this the case with a group of well-dressed middle-aged men, whose bearing proclaimed them leaders in business and society; some of whom, as I afterward discovered, were pillars of leading churches. It seemed im-

possible for any one to be indifferent to that message, and few tried to be. Rapt attention, deep contrition, and unspeakable peace were variously expressed in the faces of the mass of the great audience.

There was little talk as the awestruck congregation slowly passed out of the church. The social buzz and hum so common at the close of most of our religious services were conspicuously absent.

But, by chance, I found myself, as I walked pensively on my way home, in conversation with an acquaintance who knew more about this preacher than I could expect to. I discovered that the preacher belonged to a good family of literary antecedents; that, with a burning thirst for knowledge, he had passed through a long and severe course of study, not in theology alone, but also in science and philosophy—interrupted, however, by a crisis in the affairs of his family which had compelled him for a time to go into business and knock about the world and mingle with men; that, finally, when this became possible, a sort of humanitarian interest, together with a liking for a studious and socially pleasant profession, had drawn him into the ministry; and that he had become the pastor of a fashionable church. Here he had gone, first, through the deep waters of doubt and spiritual struggle, and, then, through a flood of personal affliction. Out of it he had emerged a changed man. The call of God began to be heard in his soul. He became dissatisfied with his worldly, prosperous, and religiously cold congregation. In fact, his preaching began to give offence. He gave up his charge, and accepted that of the discouraged and apparently hopeless congregation of this down-town church. There, as though at last free, his preaching increased in power, until the influence of it was felt all through the city; and as from all Judea men went down to the Jordan to hear John the Baptist, so from all quarters all sorts of men came to listen to the message of this modern prophet.

I asked my friend what men said about the preacher. He replied: "They say everything, except to accuse him of immorality; his life is too candidly pure for that; but the organs of the liberal theology complain that he is reactionary; the orthodox suspect him of heresy, and a few of the most influential daily papers call him a dangerous man. But he is stirring this great city as no preacher has ever stirred it before." I asked, "Is he making many

converts?" My friend looked at me in astonishment. "He, making converts! He never thinks of such a thing. But, if that is what you mean, his message has been a message of life to a great many—to me, for instance. You know what I used to be, careless, skeptical, worldly—I've found life, real life, since I heard that message. I tell you it is turning men to righteousness. I could have shown you more than one Zaccheus in that congregation to-day."

Just then the ashes in my dying fire fell with a loud click, the town clock boomed out the hour of midnight, and my vision vanished.

IRA SEYMOUR DODD.

THE PUBLIC-SCHOOL SYSTEM IN THE PHILIPPINES.

BY WILLARD FRENCH.

In justice to itself, let us acknowledge that the American Public-School System in the Philippine Islands is still in adolescence —even, as yet, an unknown quantity; nevertheless, quite enough has been demonstrated to denounce the wide diversity of impression extant concerning it, and a better appreciation is due from every intelligent citizen.

After several years' absence, I left for the islands last spring, by a Government transport carrying several officers and civilians who were returning after only brief visits in America, and from them I endeavored to gather the latest facts concerning the Department of Public Instruction, which I had left in the incipiency of glowing promises. The consentient opinion, apparently honest, favored the assertion that it had developed into a gigantic farce. Arriving in Manila, I found many ready to indorse this view.

Reasons are obvious why any administrative effort in the Philippines instigates prejudiced criticism. Internal and external conditions encourage more misconceptions than permeate the integrity of any other community on earth, more or less resultant from the fact that a republic has not the most convenient form of government for this particular phase of aggrandization. It is only safe, in all considerations Filipino, to subject every sentiment to saline solution, then swallow a teaspoonful of each. Something of fact is usually hidden in all of the popular fallacies. They are not invariably sophistries, by any means.

There is truth, for instance, in the "gigantic farce" theory, even though to find it we must first extract the adjective and apply it singly to the system, letting the noun alone revert to certain features in the early days of propagation. Among these

first, and it must be admitted rather farcical, features, was the sudden and widespread advertising for the famous "cargo of teachers," upon such very lenient and liberal license that almost any one who would apply could come, and be "thank-youed"; resulting in what is commonly referred to as "The Thousand," who came over on the "Thomas" and were landed before Manila was ready to receive them. They were housed in hurriedly constructed, tremendously elongated *nipa* houses, upstilted on bamboo posts, as is all native architecture, with doors and windows which were simply holes, secretable only by the regulation grass screens; out in the Spanish Exposition grounds, beyond the city walls. The teachers came while the rainy season was hard at it and the food-supply doubly limited, in kind as well as quantity, with their final destinations wholly undecided, and not one in a hundred of them possessed of the remotest idea of what they were coming to or what was to devolve upon them when they arrived. It seemed high tragedy to them while camping there in the wet, mentally and physically subsisting on insubstantial uncertainties; but there was more or less comedy about it, after all, and the vein of humor thus begun at the beginning has continued, subcutaneously, even unto this day, with farcical features interspersed for such as are inclined to mine for them. But they are not the foundation, neither are they the superstructure, of the Public-School System in the Philippines.

Concerning it, we must at least admit that the Government has expended a large amount of money in a laudable endeavor to construct a complete system of education in the islands, and accomplish—too precipitately, perhaps—a most desirable end; while, even of that first invoice of teachers, we cannot but believe that many were, and that some still are, earnest in the cause and profession, and that they made their sacrifices, endured their hardships, and devoted their energies not wholly and all of them, at any rate, with a view to the stipend and perquisites, or in quest of adventure.

Moreover, the effort has been in the direction which critics and sages have so long advocated, to bring the mental faculties to a position and ability to comprehend higher values and the greater desirability of modern methods; so that one should not too easily condemn even failures—if failures there have been—in the gigantic experiment. On one hand, the enthusiastic devotee can

readily deduce good evidence that the success of the enterprise has already far outbalanced the expenditure. Instances have appeared in many recitals indicative of great results. There are actual and real results which, under the conditions, may justly be considered phenomenal. On the other hand, one upon the ground must see and hear much which suggests the possibility for even such extravagant terms as "gigantic farce." For a vaster problem than most conceive is that of educating the Filipinos.

In the first place, there is no such thing as a Filipino Nation. Such a heterogeneous conglomeration does not exist in any other country on the earth. In color, capacity, custom, language and ethics, in theories of life and after-life, they differ almost as much from each other as they differ from us. There are hundreds of thousands of naked, smooth-faced, strong-featured, long-haired Igorrotes, the famous head-hunters, who believe that the air is full of ghosts—they call them *anitos*—who are alone responsible for everything. There are thousands of Visayans who hold that the only potent thing is *anting-anting*, an amulet as varied as the precious pocket-pieces of Americans. There are uncounted little black Negritos acknowledging nothing but evil spirits, which they can keep out of their houses at night by drawing the grass screens over the door and window openings in their *nipa* huts; and the powerful, laughing, fighting, sinister Moros who look with contempt on the ideas of pig-eating Christians, and advise them to come up higher into more modern Mohammedanism. And there are many others with thousands of odd notions, all conflicting with any effort at reform.

Even the nominally Christian tribes are hardly less prejudiced by eccentric and erratic theories. The only qualities which the people of the Philippines possess in common are ignorance and bigotry. They are distinctly childish; whimsically, often unreasonably, sometimes obstinately childish, as a perfectly natural result of three centuries of most superficial Christianity and subjugation, grafted upon aboriginal Orientalism. Their previous education, in its quality more than in its quantity, which was very limited, was accomplished by the friars with a specific end in view, and proved one of the most serious obstacles in the solution of the new problem, though at the outset it received comparatively little attention.

The dispositions, customs, theories of the people to be taught were utterly strange to the very instincts of the new educators. The land itself, in every possibility and necessity, was entirely new to them—a wonderland of unappreciable rewards, but of realistic punishments for the unsophisticated and injudicious. They had everything to learn, these new teachers; while the scholars, when scholars were finally found, were naked little brownies, who could smile in English, but could not understand a word of it. What had the new teachers to teach? They did not even know how to live in the open-sided, stilt-uplifted, *nipa* houses. Truly, there was something humorous in the beginning of it all. And the next step was like unto the first; for, while they in the Philippines were still dreaming out the possibilities, there came word that the advertisements had been answered, and that the cargo was on the way; and, rousing themselves, they sent agents flying to every local governor of every province for a quick statement as to how many teachers, and of what sex, he thought his cities, towns and villages could accommodate. Upon these impromptu estimates, the embryo incidents were dispensed.

An official who is still prominent in the work and who was then one of those advance agents and dispensators, said to me, the other evening:

"It was bad enough business, the hurried way in which we arranged for placing them; but when I came to look over that first collection from the 'Thomas,' with a view to filling the orders, I could only think of that slang which Senator Depew has indorsed: that we had all of us 'bitten off more than we could chew,' and that we were all 'right up against it'—teachers, Board and Filipinos. Some of the teachers came simply to travel at Government expense and see the tropics. Some came for a chance to study Spanish—there's not one native in a thousand outside of Manila who can speak a word of it, and all school work is strictly in English, by order. Some came for botanical investigations, some for zoology, others for anthropology. Others deliberately asked to be located where, betweenwhiles, they could go prospecting with a view to making quick fortunes from their finds. Of course, there were some few who betrayed inclinations to teach Filipino children, but they were exceptions. They all of them followed their destiny. Some died. Some were relieved for illness. Some went home mad. Some resigned to take up

other work. Some succeeded in establishing first-rate schools, and a very few renewed their contracts at the end of the first three-year term. The money has not been thrown away. The permanent value of the investment is too evident; but the first three years it was hard pulling for all of us."

Criticism emanates from within as well as from without, for two opposing methods were projected at the outset, each supported by one of the two principal organizers. Only one could be adopted, but the adherents of the other, still earnest workers, are also in evidence with an occasional "I told you so." This same high official continued what he was saying, with:

"It is an unfortunate fact that many dollars were expended to accomplish what a few might have done better; that considerable energy and health and some life have been unnecessarily lost, and that overzealous or ignorant or careless teachers have occasionally made very bad mistakes, antagonizing priests, frightening or offending natives, and causing disagreeable breaks which cannot be easily repaired or forgotten. These things would not have happened had native teachers been educated first and sent out."

This is all true, yet salt it; for he was an earnest advocate of the other plan—a concentration plan, by which only a hundred teachers were to be brought over, experts in the art, located in large centres, with a careful selection of pupils gathered on the normal plan and educated for future work throughout the islands. Looking backward, it is so easy to imagine how very satisfactory everything might have been under other conditions, and it is perfectly true that some of the regrettable incidents could not have occurred. But obvious objections to the plan prevailed. It would have been a very slow process, with uncertain results from errors easily incorporating themselves and difficult to obviate; besides lacking the essential element of Americanism. So the gigantic task was undertaken of creating, in the Philippines, the complex school system of America—installing a great machine in full running order.

The multitude of obstacles, a few of which I have briefly mentioned, suggests that, under either plan, satisfactory progress would have met occasional rebuff. The greatest and more nearly insurmountable dangers were those which would have encompassed the rejected plan later in its development. With the plan which was adopted, the difficulties would naturally be greatest

at first and steadily decreasing. Hence, when comparing what I find in the Philippines to-day with what I knew a few years ago, the farcical features fade in real effects so wonderful—take the word at its strength—that I feel myself considering more a miracle than simply a successful experiment.

I have wandered over the Philippines from Bontoc, the centre of the head-hunting savages in the mountains of Luzon, through all the intervening islands, to Jolo of Sulu, the most Moro of Moroland, off the coast of Borneo. I was not in search of school developments, but that did not signify. They were omnipresent. One could not traverse the streets of a native town, morning or noon, without passing laughing bevies of thin-shirted youngsters, hugging to their brown sides familiar home school-books. I have also made several trips into various interiors, even Mindanao, and have yet to find the boy or girl who did not smile and reply in kind to "Hello!" or "Good-by!" often taking the initiative when they saw a white face on the road, while, parenthetically, it was a rare exception to receive more than an uncomprehending stare if the same salutations were given in Spanish. In the wild province of Bontoc, to-day, there are ten who speak English reasonably well to one who understands a word of Spanish. In communities where, five years ago, the uniform of Gunga Din was full-dress, the streets, to-day, on Sundays or holidays, are veritable tropical flower-gardens set in snow—so many of the women affect the brilliant colors dear to Oriental hearts, and the men white coats and trousers. One rarely sees more enthusiastic merriment and pretty finery than we met with in the city of Taal, in the province of Batangas, last Fourth of July—in Batangas! which has been, and which pessimists say still is, the hotbed of insurrectionary dreams. The secret of it lay in the fact that there are two thousand children in Taal attending the public schools, and the popular enthusiasm in celebrating the Fourth of July is external indication of the manner in which other ideas which are promulgated in the schools reach into homes, where by no other means could they possibly penetrate, and of the esteem and respect with which the natives consider the schools, as well as incidentally vindicating the plan of multiplying American teachers at the outset, instilling better Americanism with the first rudiments. There are many miserable manifestations of Americans in the islands. Drunken, truculent

loafers infest every coast town, living on the labor of Filipino women; but, in spite of them, Americanism of higher grade has become the fad of the Philippines, and an insatiable desire to learn has developed everywhere. By such a record is the course indorsed, and by its fruits the system ought to be known.

There were indirect benefits, too, from the tremendous, however humorous, energy of the educational effort. The Catholic schools, which for a long time have been operative in the islands, have been under the direction or discretion of the friars. They were notoriously difficult of access, and anything approaching higher education was utterly impossible except to a few selected by the priests for preferment, with a view to their future usefulness in Church affairs. These Spanish schools were nominally under the control of the local governors who appointed the teachers; but the Church was mightier than the State, and the governor whose appointment antagonized a priest was doomed. The vigor of American methods thrilled the Church system with new life. Very few of the priests have taken advantage of the official permit for two or three hours a week of religious instruction in the public schools, nor have they been to any great degree pacified thereby; but many of the Catholic schools have enlarged their scope, and materially increased the facilities which they previously afforded.

However many faults the system of education or its propagation may have had, however many mistakes its various agents may have made, the fact stands forth that to-day nearly three hundred thousand Filipino children are enrolled in the public schools, with an average attendance of about a quarter of a million. The *barrios* or district schools have a primary course of three years. From these the pupils are eligible to the municipal schools, with an intermediate course of three years more. Then come the second-grade courses, which parallel the high schools of America, besides commercial and agricultural courses, and courses in arts and crafts. New and larger buildings are being called for all over the islands, and several municipalities have already constructed large schoolhouses, with carpenter shops in one end and blacksmith shops in the other, for manual training. Even Oriental Negros is building a large secondary schoolhouse, if it is not already completed; all indicating the substantial footing gained by the school system in less than six years. The teachers

have also learned two most important lessons—how to care for themselves, and that the little brownies have heads upon their slender shoulders which are as capable of absorbing as are those that come to school in ruffs and collars from stanch Yankee cradles.

There should be no mistake upon this latter point, yet it is one upon which the gravest misconceptions exist, even in high places. They are constructed on the strength of obvious characteristics, but they are radically false. A natural tendency of all Orientals, increased by long intimacy with Latin races, is to be secretive, to hide their own opinions and apparently agree when in conversation with their superiors. This has often caused erroneous convictions in the minds of outspoken Anglo-Saxons; while the saving vein of humor underlying dark skins frequently subjects their serious side to misinterpretation. The essential error affecting educational problems in the Philippines, and widely accepted, is that the Filipino is shallow; bright on the surface, quick to catch the superficial, but beyond that nothing! a blank! One would think that the facts would be a refutation of this error, and rather an ominous suggestion of something like a curtain, instead, hiding the realities of life from too close a scrutiny. Indicative of this are the three advance schools of Manila, two of which have been but recently established: The Normal School, The School of Arts and Trades and the Nautical School. The dominating purpose of those directing the course of education has been to inculcate the dignity of labor; and, besides these higher schools, there has been added to the provincial and second-grade schools a two years' course in mechanical drawing, wood-working, iron-working, and tool-making; but the success of The School of Arts and Trades is the more astonishing when we remember the inherent and Spain-cultivated hatred of labor among the upper classes, and that, in spite of their traditions of centuries, the sons of these first families fill The School of Arts and Trades. It is confusing to our conceptions of the Filipinos to find the boys sweating in the metal and wood-working departments, at machine practice, plumbing and carpentering and steam and electric engineering; delving in architecture, stenography, typewriting, and telegraphy; making things and doing things like experts.

It is an inspiration to watch the six hundred in The Normal School at their class exercises, and especially the higher classes

when they gather at noon in the assembly hall. Those who expect to find a blank must look beyond the graduating classes of The Normal School, and soon there will be no limit, for in lack of a college preparatory course, fitting students for American colleges, such a course is now to be added to The Normal School curriculum. For the benefit of those who more suspect a curtain, instead, I take the liberty of repeating an incident which I have once related in public:

I was sitting one afternoon in a lower class-room of The Normal School, where out-of-town pupils are given a preparatory course before regular matriculation. Some fifty boys and girls about twelve years old were reciting United States history. The lesson was on Captain Smith and his first Virginia settlers, and related to their greed for gold and their oppression of the Indians, and their final obedience to Smith's demand that they plant corn and potatoes and beans for themselves. A bright-eyed youngster sitting in the rear, having obtained permission, asked, very respectfully:

"Where did they obtain the seed?"

"From the Indians, of course," said the teacher.

"If the Indians disliked them so and wished them away, why did they give them the means to stay?" he asked.

"Probably, the English bought and paid for it," the teacher said; but the boy persisted;

"We learned yesterday that the Indians had no money and no use for it, and that they did not care for the gold or how much of it the English took with them, if they would only go away."

"Well, I don't know how they obtained the seed," the teacher replied. "I only know what the book says, that they got it."

"I myself do not know," the boy said, most politely. "But I saw a picture in which Captain Smith held an Indian by the throat, with a pistol at his head, saying: 'Your money or your life!' I myself do not know that it was true. I was only thinking of—of the Philippines."

There was a sparkle—a glint—in many dark eyes, and dark lips were smiling, all round the room, as the boy sat down. It was nothing. And yet, as I sat with Dr. Beattie, the Superintendent, in his private office, afterward, I couldn't help remarking that, if he purposed to pursue the history of the United States with those children, he ought surely to provide expurgated editions.

The third of these higher-grade schools, the Nautical, is the youngest, but it is destined to be one of the most important institutions in the Philippines. The coast-line of the islands is greater than the coast-line of the United States. In the present lack of railroads, all intercourse depends upon the sea, and railway systems will but bring more commerce to the ports, increasing rather than diminishing the demand for ships. The waterway of the archipelago will be a more and more crowded thoroughfare. The students already come from twenty-two different provinces, a fact which indicates the wide appreciation among the natives of the facilities offered by the school.

At the last Fourth of July celebration in Manila, six hundred native schoolgirls were arranged on a platform opposite the reviewing-stand, singing patriotic songs. At the close, Judge Roxas remarked to General Smith, the Commissioner at the head of the Department of Public Instruction:

"Whatever may be said of your system, this I must admit: it has given a new light to the faces of our young women, and conferred upon them a dignity and bearing which they never had before."

One would hardly have thought there were as many boys in Manila as appeared in that parade representing the School Department. They were dressed in white, with red, white, and blue ribbon for shoulder-straps, and each carried a flag which he held at salute in passing the Governor's stand. Being the rainy season it naturally rained, and the ribbon being cheap the color naturally ran in every direction down the white. Some one aptly said that it illustrated the Public-School System, giving patriotism a start above the shoulders for existing conditions to spread it all over everywhere.

If the Philippines were all, then the worst that could be said of the Government's educational policy in our new possessions must still be praise. But there is an island called Guam, in mid-Pacific, at which the transports stop on their way from Honolulu to Manila. It is little known, because we value it only for the strategic importance of its harbor of San Luis de Apra—the only possibility for a naval and coaling station, for any nation, within a thousand miles. We have wholly ignored the fact that, beyond the beautiful coral-bound harbor, there are eleven thousand natives on the island of Guam; not barbarians, but Christians;

not revolutionists, but law-abiding citizens—the poorest of poor farmers, all, bringing from their patches daily their daily bread. I visited Guam last June to see them, and no better people could be seen anywhere in all the broad Pacific. We have paid them no attention, for they are uncommercial, unalarming. We have given them no consideration, for they have not murdered our countrymen or revolted against our Government. Worse yet, we have ignored the fact that among them are four thousand children.

In the seven *nipa*-roofed and bamboo-stilted villages, there are Spanish chapels and schoolhouses combined—empty. In Agaña, the one city, seven thousand strong, there are substantial stone and stucco buildings which once were schools: deserted because —literally because—for seven years our flag has floated over Guam. When Captain Shroeder was governor, he made valiant efforts to establish schools, but failed for lack of funds. When Lieutenant Safford was vice-governor, he opened and taught a night-school himself. Commander Dyer, the present governor, with the help of his most admirable wife, has enlisted the aid of nearly every American lady on the island; but the brownies were so eager to learn and came in such multitudes, that the age-limit had to be cut to between seven and twelve. Still they came too fast, and boys alone could be taken in the morning and girls in the afternoon. So much for what might also be done in Guam, with a little of the same praiseworthy liberality which is evidenced in the Philippines.

It may be that those who seek can find combinations of comedy along with the development of the system in the islands, but there is no farce connected with Guam. There is nothing but tragedy and shame. Not one dollar has ever been appropriated by this Government. No school supplies have been afforded. Not a teacher has been furnished or a school established by the help of the Treasury in the seven years of our dominion, and the shame increases with each new day through which Guam exists in its present condition of neglect, leaning on philanthropy.

WILLARD FRENCH.

GERMANY'S AIM IN FOREIGN POLITICS.

BY ARNOLD WHITE.

THE greatest man who ever lived on this planet was Napoleon Bonaparte. The personalities of his opponents are sliding rapidly into oblivion; while the books, the papers and the memoirs dealing with his character and vices, his views and habits, pour from the printing-press in ever-increasing volume. No statement of Bonaparte's has been more quoted than his memorable prediction that in half a century Europe would be either Cossack or republican. Nearly a century has passed since the date of a prophecy which has been falsified by the effluxion of time, Europe is more monarchical and less Russian than when the prediction was uttered. Although Bonaparte has proved to be in error in regard to the limit of time he allotted for the establishment of republican or Muscovite ideas in Europe, it by no means follows that he was wrong in the principle he sought to establish. Bonaparte, a hundred years ago, like William of Germany to-day, was seeking to form an alliance of the Baltic Powers against England. He foresaw, as we foresee to-day as the issue of the war in the Far East, an awakening of Russia whereby the giant of the North, vigorous after repose, with a virile and hardy population, would arise in its might and fulfil the ambition of centuries by dominating European civilization.

To understand the position of Russia to-day, it is necessary to survey the world politics of the hour; and to do so effectively we must, so to say, take off the gloves and write of things as they really are, not as they seem to be under the banal conventions of a jejune journalism.

The interests of the English and American people in Russia largely, if not mainly, depend on the influence of Russia on the maintenance of peace. The English-speaking public ought to bear

in mind that Russia, owing to her present difficulties in the East, and to her boundary line in the West being denuded of troops and therefore open to Germany, cannot act as she would like to do, and is unable to protest against her actions being attributed to hatred of Great Britain. A great portion of the Russian nation would hail with joy an understanding with England and America, but no *rapprochement* can take place until the present despotic methods of the dissipated and incompetent Grand-Dukes are discarded in favor of a freer régime, whereby Russia shall be ruled by efficient and reasonable administrators. Hatred of England is the characteristic of a small but powerful clique in Russia. These men occupy high places, it is true, and their influence is great; but the Grand-Ducal influence would be reduced to vanishing-point if Germany's bloodthirsty ambitions were unmasked, checkmated and prepared for by the nations concerned.

The key to the position in Russia is found in the fact that, alone among the nations of Europe, she possesses no port accessible to shipping all the year round. Even the waters of the Black Sea at Odessa are frozen in hard winters. Since the time of Peter the Great, Russia has been struggling towards the south. When her way south was barred by the might of Britain and the jealousies of Europe, she pushed her frontiers eastward. Leaf by leaf she devoured the artichoke of Northern Asia. After building a railway across the trackless steppes of Siberia, she reached the sea, only to find an implacable foe more efficient and better prepared for war than the ancient civilizations of the West. The preliminary defeats of Russia by Japan, the capture of Port Arthur and even the destruction of the whole of General Kuropatkin's force, could not affect the main policy of Russia, which is to acquire a port in warm waters accessible to her ships of war and of commerce from January to December.

This desire of the Russian Government and the Russian people for a warm-water port is instinctive. The movement towards the sea and the south is like the movement of a glacier. It is irresistible and it is the result of natural law. When men write, therefore, that the seizure of Manchuria was the idle ambition of a vainglorious despotism, they speak only of what is on the surface. The locality of the warm-water port, whether in the Dardanelles, the Persian Gulf or the China Seas, is comparatively immaterial. The great point is that the volcanic energy of 130,-

000,000 white Northerners is now pent up and will break through the crust of opposition as the lava from an active volcano finds a new crater when the forces of expansion are stronger than the superincumbent earth.

To understand this point, let us ask ourselves how long Great Britain or the United States would have waited before obtaining a warm-water port, if their respective territories were inhabited by 130,000,000 Anglo-Saxons, and if all the ports of both countries were inaccessible during one season of the year. Neither country would have waited two hundred years, and Russia will not wait a day longer than she is obliged. This desire for a warm-water port is the key to Russian policy. The substitution of constitutional government for the despotic Tsardom would not change this policy. On the contrary, the more efficient the Government of Russia may become, the more certain she is to attain the object of her ambition.

The next point to understand, in connection with the situation in Russia, is the extent to which ignorance is the bed-rock upon which the Government rests. The dense ignorance of the people is necessary to the continuance of the present system. The Russian Church is crusted with superstitious practices, and the worship of ikons by the peasantry is indistinguishable from the worship of idols by the natives of the Solomon Islands or the worship of the figures of Buddha by the Tatars or the Thibetans. The ignorance of the Russian people is not confined to the peasantry. The Government and the Church are opposed to education as such. Students of the Universities at Moscow, Kieff and other cities are constantly at variance with the authorities. Places of learning are closed for a session or a year as the consequence of political excitement, and sotnias of Cossacks are employed to chase in the streets and flog with their whips insurrectionary students whose love of liberty leads them to utter seditious ideas. The consequence of this struggle between education and authority is that the *tchinovniks* are ill-educated, and hence efficiency in the public service is rare. A chain is not stronger than its weakest link, and preparation for war at a distance involves high character, devotion to duty, and organizing power on the part of the humblest as well as the highest members of an expedition.

The failure of Russia in the Far East was inevitable. Five

years ago, she was flogging and banishing the students who are the officials of to-day. The best brains of the Empire are ignored; petticoat influence and alcohol play a leading part in Russian policy and administration. The inebriety of her officials is no worse than the excesses among English statesmen and officials in the reign of George II. But no modern nation can sustain the burden of successful war or administer the affairs of a prosperous country with such officials as swarm in the public service of Russia.

The dissolute and avaricious relations of the Tsar who mould the policy of Russia, irrespective of Imperial or Ministerial decisions, are persons to whom there is no parallel in other lands. Their influence broods over the people like an evil genius. No change for the better can be expected until the power of the Grand-Dukes is permanently abated.

To understand the position of Russia in relation to peace and war, it is also necessary to understand the position of Germany, the great, despotic, military ally of the Northern Power. The real danger of European war is to be found in the present attitude of Germany towards Russia. Germany is the only nation in Europe that has anything to gain by war. It is a well-known fact that the Kaiser has warily felt his way, during the last few months, towards a declaration of hostility in various directions. German diplomacy, and still more the German press, have done their level best to embitter the relations of England and Russia, of Russia and France, of England and France, of Russia and the United States. The feelings of the Russian peasantry have been inflamed against Great Britain by the *tchinovniks;* the feelings of the *tchinovniks* have been inflamed against Great Britain by the Grand-Dukes; and the interests of the Grand-Dukes have been invoked by German diplomacy with consummate skill against the interests of Britain and the United States. It is owing to German intrigue in Madrid that France and Spain were unable to come to a serious and final arrangement concerning Morocco, and were compelled for the present to shelve the question. The immediate aim of Germany is the occupation of Holland; for, by that means, at one stroke a colonial empire, second only in wealth to that of Great Britain, would be added to the possessions of the Hohenzollerns. The seizure of Holland would have been carried out by Germany if an *entente*

had not been concluded with considerable haste between Great Britain, France and Italy. The recent friendship between France and Britain did not arise from any sudden discovery that each admired the beautiful eyes of the other, but from a resolve to maintain things in Europe as they are, and, consequently, to fight Germany rather than allow Queen Wilhelmina's dominions to be annexed, penetrated or occupied by German troops.

If we are to believe German writers, the German army has entered or is about to enter a period of decadence. Prolonged peace is the bane of an army. No German officer under the rank of general has seen a gun fired in anger against white men. Anti-militarism has appeared and is growing in the Fatherland, and Herr Liebknecht, the son of the late Socialist leader, is working a powerful propaganda against militarism. German finances are in a "parlous" state; the deficits are yearly increasing; the petty war in West Africa has disorganized the finances; public works in progress have been stopped for lack of funds; even the demands of the General Staff have been set aside. There is much distress among the poorer classes. The food consumed by many is not only unappetizing, but abominable. In a number of the industrial centres, human beings herd like animals. The condition of the peasants in Prussia, Silesia, and Thuringia is terrible. Horrible misery is hidden behind the flimsy fabric of politico-humanitarian institutions which deceive the superficial inquiries from other lands. These institutions are but the pitiless travesty of State providence, and are already crumbling to their doom. The overbearing behavior of the military and of the bureaucrats, the insolence of the Jewish rich and the aristocratic contempt of the *Junkers* are intolerable. There is a strong current of profound discontent. Germany is ceasing to be the land of advanced thought. Recently a book was published entitled "Is Woman a Human Being?" The question was answered in the negative, and this book was seriously and generally discussed everywhere. At a congress of scientific men held at Frankfurt, it was proposed to erect outside all the big towns large barracks for the unfortunates. The proposal was adopted. The tendency to militarize everything is universal. Even children suffer from it. Children's suicides are frequent owing to ill-treatment and overwork. The great bulk of the German population is increasingly dissatisfied with the existing régime.

The press and the authorities attribute these deplorable effects to the wrong causes. Great Britain's hostility is represented as the origin of the mischief. The rebellion of the Hereros, which so sorely taxes German financial resources, is attributed to the provocations of English agents. It is insinuated that the rebellion is maintained by British gold.

Germany is the stronghold of the Jewish power. The great Hebrew financial families, almost without exception, hail from the Fatherland. They are the masters of the situation. Their control over peace and war is almost absolute. The sufferings of their coreligionists in Russia do not prevent them from financing the persecuting Power. The ring of the shekel drowns the moan of the Ghetto. The German Jews have nothing to lose by a war; much to gain. There is a strong reason why they would like to see European nations embroiled in strife. They know that if Germany is to wait until the death of the Emperor Francis Joseph, the Kaiser would be compelled to find his outlet on the shores of the Mediterranean. This is a prospect which they do not relish, because, if Prussia, where they are omnipotent, were to join with Austria, the anti-Semitism of Austria would reduce, if it did not annul, their influence in Prussia. It is by no means owing to the influence of the Vatican alone that the extension of Pan-Germanism has been checked in Austria. The Jews, who are the shrewdest diplomatists in the world, recognize that Pan-Germanism is hostile to Jewry in Austria. The German Jews are not naval men and none of them are to be found on board German battle-ships, and therefore the German Jews have no liking for German enterprise southwards. When Germany extends her territory to the Adriatic, the situation of the Jews will be precarious. It is quite possible that a great federal republic, strong enough even to defy the Kaiser, may follow the break-up of the Empire of the Hapsburgs. For these reasons, the Jews who have nothing to lose by a war with England are opposed to action southwards.

The Kaiser is one of the most brilliant, lovable and fascinating personalities of the day. It is enough to be brought into contact with him to recognize the magnetism he emits in conversation with men and women. Impressionable women might worship him as a demigod; impressionable men might adore him as Gourgaud adored Napoleon. Still, this military diplomatist, the Kaiser William II, is a factor of war. It must not be forgotten that

his ambitions are boundless, and his capacity, according to the popular estimate, is undeniable. Many shrewd judges have their doubts as to His Majesty's practical capacity. Up to the present time, the Kaiser has spoken enormously. As an orator, he is fluent, voluminous and emotional; but his speeches bulk more largely than his achievements. Compare the Germany of 1888 with the Germany of 1904. What has he done? Where is the difference in favor of the new ruler? He is no longer a young man, and he knows that he will be judged by history, if not by his contemporaries, not according to what he has said, but according to what he has done; and he also knows that he will be judged not by what he does in the future, but by what he does now, for it is the simple truth that never again will the stars in their courses give him the chances which are offered to-day. And, furthermore, do not let us lose sight of the fact that, as all roads lead to Rome, so all the schemes that the busy brains of German statesmen concoct are directed, sooner or later, and in some form or another, against the existence of Great Britain.

President Roosevelt's election as Chief of the Great Republic has removed from the path of the Kaiser the one difficulty that stood in his way. When President Roosevelt publicly accepted the bronze statue of Frederick the Great which the German Emperor offered as "a gift of friendship to the American people," no ceremony was wanting, no splendor was lacking to mark the President's sense of the Emperor's kindly purpose. The delay in the erection of the statue occupied German public opinion for more than two years. Had a Democratic President been elected, the rising against the commercial trusts in the United States would have reverberated in Germany and would have rendered the situation in the Fatherland insecure. Trusts, cartels, monopolies are as powerful in Germany as in the United States, and the Kaiser derives his chief support from these influences. Hence the delay in accepting the statue of Frederick the Great, and hence the enthusiastic telegram which the Kaiser despatched when President Roosevelt's election was announced.

With the United States neutral, Russia friendly, France impotent and England blind, the situation is favorable to a move on the part of Germany. For the first time since the birth of the Empire at Versailles, Germany has nothing to fear from Russia. Great Britain, with incredible lethargy, has ignored the les-

sons of the Boer war. Her finances are disorganized; she has no army worth speaking of; and her fleet, though numerous, is armed for the most part by guns which are denounced in Admiral Togo's secret reports to the Japanese Admiralty as "useless in modern war." The most obvious move for Germany is to find some way of throwing Great Britain and Russia against each other. Germany has done her best in this direction. For the present, she has failed; but there is no reason why the failure to ignite the explosive mixture of Anglo-Russian jealousies may not succeed another time.

The second string of the German Emperor, but his real objective, is a move towards Holland. There is little doubt, if not in consequence of the recent Anglo-French convention, at all events to safeguard their own interests, that in that event the French would mobilize their forces with as little delay as possible. But how could France attack Germany? There are only two French lines of attack, both of them intersecting neutral ground—one passes over the mountains of Switzerland, the other through the plains of Belgium. The question arises whether the Belgians would concede to the French army a free passage through their country, which is still the cockpit of Europe. If Germany and France only were in question the answer might be doubtful. Great Britain being interested in the fray, the answer is not in doubt. Belgium and the Belgians hate England and the English. The antipathy of the Belgians for the English is insensate, mainly because the English press has justly attacked the horrible administration of the Congo State. The Belgian army is by no means contemptible from the military point of view; and, if it defended Belgian territory against the French, German troops would gain ample time to enter Holland and to occupy the strategic points therein. If the English army were ready at an hour's notice to embark for Holland and seize the strategic points, thus giving time to the French army to overcome Belgian resistance, Germany might not dare to seize the favorable opportunity that now presents itself. But it is not ready. The one question, therefore, to-day is: Will the Kaiser dare to attack Holland? It seems that he has some difficulty in making up his mind, and that he finds it necessary, before making a forward move, to set his Russian and English neighbors by the ears. If the Kaiser dallies too long, he may lose his opportunity; and, although he

may desire a more propitious state of things than that existing at present for the realization of his projects, it is unlikely that it will occur.

No wise man supposes that war is about to die a natural death. A few years ago, the late M. de Bloch wrote some clever books about the effect of quick-firing guns and long-range repeating rifles. According to him, war had been rendered impossible. M. Bloch's views were exploded by the South-African war, and by the still more dramatic events of the war in the Far East. To men like the Japanese samurai, nurtured in the traditions of the knightly spirit of Bushido, there are no bullet-swept impassable zones. In no previous wars have intrenchments been so often successfully stormed. Napier does not record the capture of so many batteries under the régime of Brown Bess as are recorded since the modern rifle was invented. War has become more brutal. It is reverting to its primitive aspects. Germany to-day represents war, and Germany must be strictly watched and checked. The expansion of the German population, the impossibility of extension southwards, eastwards, or westwards, necessitates the capture either of Holland or of colonies or of both. Before the manifest destiny of Germany to collide with England, anti-Russian prejudices ought to disappear, and the British public should narrowly examine its antipathy to Russia and sympathy for the Japanese who hesitated so cautiously as to whether their movement for expansion should be made in the direction of Korea, Indo-China or Australia.

ARNOLD WHITE.

THE CENTENARY OF SCHILLER'S DEATH.

BY WOLF VON SCHIERBRAND.

THE London of Elizabeth; the Versailles of Louis XIV; and the Weimar of Carl August—each was the centre of a great nation's literary golden age, and yet each how unlike the other! The age of the English renaissance, how it glitters and scintillates! How gallant and brave the men! How fair and erudite the women! On the ocean, the great Armada defeated, and the Hawkinses and Drakes and Raleighs laying the foundation of Britain's globe-encircling empire. Ashore, life seethes and boils; and, at the Mermaid Tavern, a half-score of literary Titans revel and feast in their Gargantuan way, Shakespeare among them, the greatest of them all. A time overflowing with nervous energy, colossal ambition, unmatched gifts!

At the polished and resplendent court of the *Roi Soleil,* Molière, Corneille, Racine bowing the knee in humble obeisance, and tuning ever anew their lyre in praise of the mighty monarch. The greatest era of French letters was also the acme of French political preponderance, a time when France alone faced a world in arms, when the lilies floated over virgin America.

And now look upon Germany! At the time of Schiller and Goethe, Wieland and Herder, Germany was wallowing in the very depths of political abasement, the prey of a haughty foreign conqueror, a mere "geographical idea," a heterogeneous conglomeration of hundreds of petty, impotent states. The peculiar historical development of Germany, its decentralization, the diffuseness of its culture and the marked difference in the ideals and sentiments which prevailed in its various provinces—all these things are sharply mirrored in the fact that it was at the court of an insignificant sovereign, at the capital of a ruler of a territory a few miles in width and with a population amounting

barely to that of one of half a dozen American cities of to-day, the two great stars of modern German literature, Schiller and Goethe, shone and shed their lustre over the surrounding kingdoms and principalities of Germany. Weimar was the humble home of the German muse. To-day, the tourist, hurriedly pacing the streets of the sleepy little city, is struck with the anomaly.

Whatever modern German literature has become, it owes scarcely anything to the wise, patriotic, fostering care of Germany's great rulers. Frederick the Great was for years the bosom friend and patron of Voltaire; but for the rising generation of German poets, essayists and dramatists he had nothing but scorn.

Seldom has a young and ardent poet confronted the world under more untoward circumstances than faced young Friedrich Schiller. Like Goethe, he got his poetic temperament from the maternal side. His father, captain in the Duke of Würtemberg's small army, for years served as chief of the recruiting-office in Gmünd. His "most serene master," Duke Carl Eugene, was one of those base German sovereigns who sold their subjects as "cannon fodder" to other Powers, especially England, and with the proceeds led a luxurious life. And, although Captain Schiller is said to have exercised his office with much humaneness, it is quite probable that young Schiller got from his father's experience in Gmünd the inspiration for the horrible scenes in "Intrigue and Love" (*"Kabale und Liebe"*), which even to-day make the reader shudder. A rude tyrant this Duke certainly was; and, as he had kept another outspoken poet among his subjects, Schubart, a close prisoner for years in his feudal Bastille, high up on the Hohenasperg, so he drove the greatest Suabian of them all, Schiller, into flight and banishment at the age of twenty-three.

Yet there is no gainsaying that Carl Eugene, odious tyrant as he was, had his good points, and the academy he had founded, first at the Solitude and next at Stuttgart, was a fine creation. This institution aimed to teach almost everything. It was unique in its scope and methods, educating men of every profession and art, including music, painting, sculpture, even landscape-gardening and engineering. The fine calibre of the graduates shows its sterling worth. Among the fellow pupils of Schiller were such men as van Hoven, the eminent physician; Dannecker, the gifted sculptor (from whom we have the best bust extant of Schiller); Nast and Conz, Mohl, Hegel, Kerner, and Hauff, all men of note

in different lines. Scharffenstein and Massenbach, famous generals, were classmates of Schiller. All of them, though, loved and admired young Schiller; and in 1793, when the great poet, almost at the zenith of his powers, visited his dear Suabian home, they flocked together from everywhere to greet him. Schiller then had just been appointed "Court Councillor" of Weimar, and had written his treatise on the æsthetical education of man. Nevertheless, at a drinking bout with some of these friends of his youth, the heady young wine of the Neckar overpowered him. It had been his intention to "drink them under the table"; instead of which he himself in his vinous ecstasy rolled all over the massive board of the tavern.

Schiller was then thirty-four, married and a university professor; but his buoyant, Bohemian nature clung to him more or less through the remainder of his short life of forty-six years. In this respect, and some others, he reminds one of Robert Burns. Schiller, too, wrote some of the finest Anacreontic songs in the German tongue. And all this despite extreme poverty throughout life. When the Körners offered him an asylum in Dresden for a time, in 1785, he was almost at starvation-point; this was the time when he wrote his magnificent "Song to Joy," as well as his "Don Carlos." When Goethe secured for him a professor's chair of history in Jena, the salary was 200 thalers (about 145 dollars) a year. In those days and until his death, apples and strong coffee had become his inexpensive passion. The apples he usually kept in a drawer of his writing-desk, and their odor, he claimed, furnished him inspiration. When he wrote his last, and perhaps most finished, drama, "William Tell," a year before the end came, he was so overworked and badly nourished that at night he kept himself from falling asleep at his work by munching apples and steeping his bare feet in cold water. When he wrote his "Fiesco," while a fugitive at Mannheim, he lived joyously on a diet of potatoes—potatoes baked, boiled, fried; potatoes, of which he had bought a cart-load from a peasant, and which with their bulk took up about half the floor space in his garret. No wonder his health broke down! Even Chatterton affords no more pathetic spectacle. Abject penury was Schiller's portion through life.

But Schiller came from Suabia, and that explains much. Suabia, cradle of the Hohenstauffens and birthplace of the Minnesingers in mediæval times, as it was of Uhland, Novalis, Hölder-

lin, Kerner, Hauff, Mörike, and so many other notable German poets, has always endowed its children with far more than the normal German share of poetic sentiment and sturdy love of freedom. That small part of Germany, which is popularly termed Schwaben (Suabia), even to-day, though the bulk of it is properly styled Würtemberg and portions of it have gone to Bavaria and Baden, has produced more and greater poets than has the whole of Prussia with twenty times its size.

Now, what has made Schiller preeminently the national German poet, the favorite poet of German youth and German women?

Schiller's quenchless enthusiasm; his noble pathos; the extraordinary wealth of imagery in all his writings; his love of liberty and the emphasis he lays everywhere and always on human worth; his contempt of caste and rank distinctions; his moral exaltation, his purity of thought and polish of expression; his glorification of Love and idealization of Woman; the wide range of his sympathies and of his chosen subjects—these qualities of his work, doubtless, made him the favorite author of German youth and womankind, nay, of the German masses. Together, these distinctive qualities of his muse constitute a claim to affection and popularity such as no other German writer has ever been able to present, not even Goethe or Heine. Any one at all familiar with German literature will know from numberless biographies of noted Germans that it was Schiller's works, and more particularly his poems, which moulded their early thought and youthful aspirations. All through the first three-quarters of the nineteenth century, Schiller stamped his impress on the national mind and heart. That Germany was known through those three generations as the "country of high thinking and low living" was, primarily, due to Schiller. His idealism and cosmopolitanism prevailed among high and low. Rarely has a poet exercised for so long such an overpowering and general sway over the sentiment and intellect of his race. It overtopped by far that of Goethe. Indeed, Goethe has never been "popular" in Germany, though a few of his works have been. He has always been, and he remains to-day, the poet of the select few; and not only Heine, but such second-rate stars as Uhland, Theodore Körner, Kleist, Hauff, have been, during nearly all this time, successfully vying with him for the prize of popularity. If ever a poet could be termed "national," in the broadest sense of that word, it is Schiller.

This is seen by every test. First and last, millions more of his works have been sold than of those of any other German writer. His poems are to be found in nearly every German home, however humble, by the Rhine or the Hudson, the Danube or the Mississippi. Schiller's dramas are performed on every German-speaking stage on the globe, and they always "draw," whether in Berlin or New York. Quotations from Schiller are more often used and more generally understood by Germans than are those from Shakespeare in the English-speaking world. About the last things a native German will forget abroad are the ballads of Schiller he learnt by heart when a small boy.

The Schiller conception of the world; his notion of country, home and family, of love, honor and duty; his belief in the brotherhood of man, the oneness of the universe, and the inherent goodness of the human heart; his idea of Divine government—these things, within a decade of the poet's death, became part and parcel of the German soul. On November 10th, 1859, at the hundredth anniversary of Schiller's birth, though Germany was at that date still a political nonentity, and though union under one head and one flag seemed immeasurably distant, the unanimity and enthusiasm with which the day was celebrated wherever German speech prevailed, irrespective of political division, were truly remarkable. Every school-child of that period was taught to be, and did become, a lover and admirer of Schiller.

Thus it remained until the war with France in 1870-71. As in so many other things, that war wrought a change in this respect as well. Political unity was achieved; the aggressive, turbulent neighbor, whose power had hung for centuries like a nightmare over German aspirations, lay in the dust; Germany was once more great and potent; her material resources under the new impetus developed at a wonderful rate; the French milliards seemed inexhaustible, and the nation was intoxicated with its success and military glory. The Schiller ideals vanished from the national consciousness; they were submerged, buried out of sight for the time. In lieu of the "brotherhood of man" was taught the new creed of the sovereign virtue of military supremacy and of a narrow Jingoism. Germany became wedded to a crude and brutal materialism, and this by a natural process of reaction. It became the fashion among the younger generation of Germans to sneer at Schiller and his idealism; to minimize his merits as a

poet, and to deny his vocation as a moral teacher of the nation. This state of feeling was strongest in Germany during the eighties, and the young school of poets and dramatists which then arose had inscribed contempt of Schiller on its banner. What, they argued, do we want of a poet who glorified foreign nations, foreign rulers, foreign popular heroes—one who had not even a presentiment of our own national grandeur,—who was instrumental in depreciating the sense of our own fitness to play a conspicuous part on the world's stage? These young writers, in a word, tabooed and ostracized Schiller and his works, and when referring to him in their own writings did so in terms of reproach or scorn. This was the time when nearly every young German deemed himself a Bismarck, a disciple of Nietzsche, and a believer in the creed of the Overman and of a status "beyond good and evil."

But, after all, this was a condition of things which could not last long, because it was unnatural. These young spokesmen of the literary life of Germany never represented the bone and sinew of the nation, nor the feelings and thoughts of the average German. Their rude "naturalism" and their abnormal national conceit clashed with the better self of their countrymen, and from the war of opinions rose anew the Schiller cult, the popular appreciation of his works. During the past fifteen years, Schiller has been replaced on the pedestal on which he had stood for so long. Once more the German people, high and low, recognize in him the poet who most admirably expresses the German soul at its best, the national consciousness at its truest.

It is of interest, then, to note the ideals, literary, political and social, for which Schiller stood; how far these have been realized since his death, or else discarded or modified. To bring out these points involves at the same time the presenting of a species of political and psychological portrait of the German people of Schiller's time and of to-day.

Schiller's chief ideals were political freedom and social enfranchisement, not for his own Germany alone, but for the whole civilized world; this meant, of course, cosmopolitanism. In the main, Goethe shared these ideals with him (at least until after Schiller's death, on May 9th, 1805), and it was this fact in part which made the two great poets friends and mutual admirers—a fact to which Goethe once gave whimsical expression, saying:

"The German people ought not to quarrel as to which of us is the greater, but to be glad they have got two such fellows."

In his work Schiller was extremely conscientious. No pains were spared by him, either in the conception or execution. Schiller's correspondence with Goethe and a number of other literary friends for whose opinion he cared, makes that plain on almost every page. His historical and philosophical writings were based on enormous study and research. So were his dramas. The preliminary work to "Mary Stuart," "Don Carlos," "Maid of Orleans," "Bride of Messina," "William Tell," "Wallenstein," embraced years of diligent inquiry. His "Robbers," even, the firstling of his dramatic labors, was founded on real events which at the time created a sensation, and so was his "Intrigue and Love." Though beautiful, finished diction was natural to him—and, indeed, no other German poet can compare with him in the epigrammatic, highly chiselled form—he would rewrite his manuscript again and again, and would take counsel with others, until the manner of expression tallied precisely with his thought.

Schiller's poetic activity is usually divided into three periods: first, the period of "storm and stress," ending in 1783, during which he produced his earlier poems and the three dramas, "Robbers," "Fiesco," and "Intrigue and Love"; next, the æsthetic-philosophical period, concluding with his historical works and the "Æsthetic Education of Man"; and, lastly, the so-called classical period, in conjunction with Goethe, 1793-1805. Though the man did not alter materially all this time, the character and scope of his work widened and became chastened with maturity.

In his youthful dramas, especially, there is, here and there, license rather than liberty. The outward circumstances of his life had much to do, no doubt, with this. His native part of Germany, Würtemberg, was ruled much as it is described in "Intrigue and Love"—a seraglio and all the other sensual delights for the petty autocrat, and misery, oppression, injustice for the people. Schiller strongly sympathized with the first stage of the French Revolution—as, indeed, did the vast majority of the German nation, high and low—and the National Assembly made "Monsieur Gilles" (that is the way Schiller's name was spelled in the document) an honorary citizen of France. But the Reign of Terror caused him to modify his first opinions, and in the "Song of the Bell" we find the reflex of this change.

Indeed, it would be going too far to assert that Schiller at any time of his life had well-defined political views, or, at least, a political programme. His love of liberty was in part born with him, in part imbibed from the accounts of the American War of Independence, and in part due to what he saw and heard around him as boy and youth. It was an ardent feeling with him, but it never led him to formulate an ideal of government; his notions regarding government, indeed, vacillated considerably during different times of his life. It is but necessary to read his works with some attention to become convinced of this. In his dramatic fragment, "Demetrius," in the scene of the Polish Diet, he puts into the mouth of Prince Leo Sapieha the words:

> "Majority! What is majority? Majority means absurdity;
> For reason has e'er been only with the few. . . .
> That state is doomed, I say, must perish soon or late,
> Where mere majority decides and holds the scale."

In his quatrain, "*Majestas Populi*," a contribution to the "Xenien," he takes even broader ground against the cardinal principle of modern republics; and so he does, too, in his short poem, "To a Reformer of the World." In "The Song of the Bell," written soon after the September horrors of 1792, he castigates the men and women of the Mountain. In the "Bride of Messina," in form one of his most beautiful dramas (and in which he made an attempt to revive the ancient chorus), he decries the "rule of the multitude," "mob rule," etc. He speaks to similar import in "The Misanthrope." Contrast this with the many passages in his earlier works where he talks in quite a violent strain of human rights, rule of the people, justifies (in "Fiesco") tyrannicide, etc. Nevertheless, with all these changes, and though Schiller's liberalism never rose to the height and dignity of a political system, the love of freedom, the longing for juster and more enlightened forms of government, burned steadily on. And it was in his very last dramatic production, in "William Tell," that these sentiments once more found sublime utterance:

> "Nay, there is a limit to tyrannic power:
> When the oppressed nowhere justice finds,
> His burden is unbearable—he stretches forth
> His hands and from high heaven
> He seizes once again his inalienable rights."

In his "William Tell," then, the last and clarified expression of his political and social ideals, we see Schiller once more glorifying the creed of his youth. When the play was for the first time performed in Berlin, the general conviction was that in it the poet had aimed at the great Corsican, though this seems to have been an error. But, at any rate, among all the works of Schiller appealing to that abstract love of liberty in Germans which forms so strange a contrast with frequent passive acquiescence in practical tyranny, none has equalled "William Tell."

However, it is in the nature of things that the present radically altered political conditions of Germany should also have modified the popular German views as to Schiller's political and social creed; for, measured against the status prevailing in Schiller's time, with its iron caste and rank distinctions, its absolute autocracy, its denial of all political rights to the subject, Germany to-day is even a paradise. To a certain extent, and in a certain sense, Schiller's creed no longer applies to present-day Germany. Goethe (in his "Talks with Eckermann") occasionally caught a glimpse of Germany's political future. Schiller never did. The very conception of a modern republican form of government, of a constitutional monarchy, was foreign to him. His historical works, especially his "Alienation of the Netherlands" and his "Thirty Years' War," are serviceable even to-day. They abound in interesting details obtained at first hand, and they throughout breathe the spirit of liberalism. But, of a great harmonious conception of the modern body politic, they show nothing. It is liberty *per se* which enthuses the poet.

Schiller's influence abroad has, perhaps, been greater than that of any other German writer, with the possible exception of Heine. During parts of the nineteenth century, Schiller's dramas competed with Shakespeare's on the English-speaking stage. Carlyle did much in England, by his translations and otherwise, to popularize him, and Coleridge aided in the task. In this country, it was, however, a German who felt the call to deliver Schiller's message. The man was Carl Follen, exiled from home because of his liberal political views. His lectures on "Schiller's Life and Dramas," given before Harvard in 1832-1833, accomplished much in this line. Harvard University it was, too, which this year first celebrated, on American soil, the centenary of the poet's death.

But, indeed, memorial ceremonies or festivities are being held in multitudes of places—above all, of course, in Germany, where almost every town of any size is giving a series of model performances of Schiller dramas; where "*Festschriften*"—publications specially devoted to the purpose—are appearing, adding more or less new material to our knowledge of Schiller's life; where the Schiller prize for the best new dramatic production, awarded every third year by the Kaiser and a committee of literary craftsmen, will this year be strenuously striven for. Among these new Schiller publications, specially deserving are those published under the auspices and patronage of the Suabian Schiller Society and of the Schiller Stiftung in Weimar; but perhaps even greater merit attaches to a book, "*Schiller's Jugendfreunde*" ("The Friends of Schiller's Youth"), by Julius von Hartmann, which is based on authentic data and furnishes much that is new and of interest. It was stated in some public prints that the Kaiser was to offer a large prize for the successful completion of the two most promising fragments left by Schiller, viz., "Demetrius" and "Warbeck." The former takes its subject from Russian history and was finished entirely in its plot and about one-half in its metrical diction. It shows the rise and fall of the "False Dmitri," the pretender to the throne at Moscow and the alleged son of Ivan the Terrible. Doubtless, if carried out on the lines laid down by Schiller, this would make a strong drama full of human interest. The first and second acts are finished and rank among the best the poet has produced. The experiment would be all the more interesting because no Russian, or any other writer, has ever written a drama on this topic. "Warbeck" treats of a stirring episode in British history, at the close of the War of the Roses. Schiller had not proceeded quite as far with this as with the other.

The year 1905 sees, then, Schiller among the few generally recognized great poets of the world. His message in the main still rings true to our ears and to our hearts.

WOLF VON SCHIERBRAND.

COMMON SENSE OF THE RAILROAD QUESTION.

BY FRANCIS G. NEWLANDS, UNITED STATES SENATOR FROM NEVADA.

FROM the days of the fathers, the nation has dealt with the problems of self-government, one after another, as they have arisen. It has often viewed them, at first, with apprehension; then grappled with them, solved them, and passed on.

The problem of the hour is monopoly in instrumentalities and commodities essential to the common comfort and prosperity. Of these, the first to be dealt with is the monopoly of transportation. There are three general views in regard to this question.

The great financiers and railroad operators are opposed to any public regulation. They believe the problems should be left to the practical and experienced men who have brought the transportation system to its present state of efficiency.

The President and a very large majority of the House of Representatives believe that the Interstate Commerce Commission should be empowered to revise rates upon complaint, subject to review by a court of transportation. A bill has recently passed the House to this effect.

There is a third view, which seems to be growing rapidly in popular esteem, in favor of outright Government ownership.

I cannot agree with the railroad operators that nothing should be done. The power to fix rates of transportation is the power to affect the cost of everything which enters into common consumption, and, thus, in great measure, to regulate the standard of living of our people. Such tremendous power cannot safely be left, without restraint, in private hands.

As to the measure which passed the House by the overwhelming vote of 326 to 17, I fear it will be disappointing in its results. It does not present a scientific solution of the problem. It leaves the power of taxation with forty-five States and thousands of local po-

litical subdivisions, so that there can be nothing in the way of uniformity or permanency in this item. It makes no provision for the valuation of the property, nor does it make any attempt to indicate what would constitute a reasonable rate of interest on the investment. It does not touch the evil of overcapitalization, nor does it propose anything which would abate the alarming evil of political control which has come as an unavoidable incident in the growth of corporate power.

While the sentiment favoring Government ownership is increasing, it is plain that the country is not ready for such ownership at this time. The most serious objection to it is that it would interject 1,300,000 employees into the political patronage and render it difficult to drive from power the party controlling this vast influence, however desirable a change of administration might be.

On January 4th, I introduced a joint resolution in the Senate (S. R. 86, 59th Cong., 3d Sess.) providing for the appointment of a special commission, to consist of four experts on transportation and transportation law, five Senators and five Representatives, instructed to frame and report to Congress a national incorporation act prepared upon certain principles. This resolution was referred to the Interstate Commerce Committee, which has called upon the Interstate Commerce Commission and the Bureau of Corporations to make report as to the plan outlined, with such suggestions as may be deemed advisable.

The object of my resolution is to unify and simplify the railroad administration of the country; to recognize the evolution in railroading, under which the operation and management of almost the entire railroad mileage has come under the control of about six well-known groups or systems; to place such systems under national incorporation and control; to make the taxes of the railroads fixed and certain; and to provide for fixed dividends, so that hereafter any increase of business will tend mathematically either to a betterment of the roads, to an increase in wages, or to a diminution in rates. These purposes I would accomplish by the following methods:

1. The requirement that all railroads engaging in interstate commerce shall incorporate under a national law in accordance with certain conditions not only permitting, but favoring, the consolidation of railroads.

2. The valuation of all such railroads by the Interstate Com-

merce Commission, and a capitalization not exceeding such valuation.

3. The revision by the Interstate Commerce Commission of all rates, so applied as to yield an annual return of not less than four per cent. on such valuation.

4. The exemption of railroad property, including stocks and bonds, from all taxes except a tax on gross receipts, such tax to begin at three per cent. and increase at the rate of one-fifth of one per cent. each year, until it reaches the maximum of five per cent. This tax to be collected by the Government, then distributed among the States and Territories on some equitable basis.

5. The creation of a pension fund for employees disqualified, either by injury or by age, from active service, by setting aside in the treasury a percentage of the gross receipts of the railroads.

6. The arbitration of all disputes between such railroad corporations and their employees as to compensation, hours of labor, and protection to life and limb.

In the United States, there are 200,000 miles of railroad, owned by about 2,000 corporations, and controlled by about 600 operating companies. But these operating companies have gradually come under the management of six great groups of ownership, each group dominated by a single individual, or by a few individuals. These groups are popularly known as "The Morgan," "The Gould-Rockefeller," "The Harriman," "The Vanderbilt," "The Pennsylvania" and "The Moore" groups.

With two or three exceptions, these 2,000 corporations are organized under State laws, though under the existing groups and systems they are operated regardless of State lines, three-fourths of the transportation business of the country being interstate. Corporations organized in one State can operate in other States only by the comity of the latter. The general policy of both the State and National Governments has been against pooling or consolidation of any kind, on the theory that competition is desirable as a means of preventing excessive rates and securing improved service. Nevertheless, practical consolidation has been effected and competition largely eliminated through various methods of leasing, trackage arrangements, holding companies, and community of interest. As a rule, these methods have not been tested in the courts, but in the case of the Northern Securities Company the method was tested and adjudged invalid.

The fact is that the railroad, whether in the hands of the Government or of a private corporation, is a natural monopoly. The steady trend of consolidation is the outcome of economic forces which cannot be controlled or appreciably impeded by legislation. The present system is complicated and expensive, involving the maintenance of many unnecessary corporations, the bond and stock issues of which constitute a mass of perplexity confusing alike to the investor, to the tax-assessor, and to the rate-regulating Commission.

It is clear that there should be unity of ownership, recognized by the law, of such railroads as are now linked together in interstate commerce regardless of State lines. As State legislation cannot accomplish this, the railroad corporations should be national,—the creation of the Government whose jurisdiction is as broad as interstate commerce itself, and whose sovereignty rests on every foot of American soil. The power to create such corporations cannot be questioned. It was exercised in the case of the Union Pacific and Northern Pacific Companies. The constitutional powers of the Federal Government relating to post roads, military defence, and the regulation of interstate commerce involve the creation of all the instrumentalities necessary to carry out such powers.

I would require all railroads engaged in interstate commerce to incorporate under a national law, and thus remove every barrier in the way of complete consolidation. I would provide that the amount of stocks and bonds issued for such consolidation should be approved by the Interstate Commerce Commission, and that they should not exceed the actual value of the railroads consolidated, such value to be determined by the Commission. I would provide that the Commission should approve the amount of bonds and stock to be issued for the purchase of connecting or intersecting lines, for the betterment of existing roads, and the construction of new ones; and I would make a rigid requirement to the effect that these securities should not exceed the value of the property acquired or the actual cost of the work constructed. This method would effectually prevent future overcapitalization.

Neither of our political parties should object to this plan of national incorporation on the ground that it favors centralization of power. The Republican party, strongly nationalist as it is, could not; while the Democratic party should not. It is quite

as Democratic to insist upon the full exercise of powers plainly given to the National Government as it is to insist upon the reserved rights of the States.

I think there would be no serious difficulty in arriving at a true valuation of railroad property. The basis should be the market value of their securities, though other factors may be taken into consideration. We can afford to be liberal with the present investors, if we can secure for all time a valuation based on present conditions and prevent the enormous valuation of the future which increased business and profit will give. Nor should there be much difficulty in determining the rate of interest to be allowed on this valuation. In my resolution, I suggest "not less than four per cent.," leaving the maximum to the determination of the Commission. But, if we are to have an absolutely scientific adjustment of the matter, the dividends should be definitely fixed on a permanent basis, so as to yield an honest return upon an honest investment.

The advantage of my plan is also apparent in the matter of taxes. Railroads are now taxed under forty-five different systems embraced in the laws of as many States. In some they are taxed upon gross receipts; in others, upon a valuation of track, and real and personal property; in others, franchises are included; and in some States a rapid movement is being made towards assessing them upon the market value of the stocks and bonds issued, the contention being that taxes should be imposed upon the same value as that on which rates are collected. The laws of many States also permit taxation of bonds and stock in the hands of holders—a form of double taxation. There is no uniformity, no permanency. Thousands of local officials are engaged in making the valuation and fixing the tax rates. Since the amount of taxes paid is one of the vital factors in determining the net earnings of the property, there can be no scientific basis for fixing dividends while this crude and chaotic system prevails.

I would exempt all railroad property, including bonds and stocks, from all taxation except a tax on gross receipts, to be collected by the national authorities and distributed among the States in proportion to mileage or volume of business. Under this method, stockholders and bondholders would be relieved of that double taxation of which they justly complain, and we would secure absolute uniformity in railroad taxation throughout

the land. The total taxes of all the roads during the past year amounted to about $58,000,000, equal to about three per cent. upon the gross receipts. I would take this as a starting-point, but provide that taxes should be gradually increased, at the rate of one-fifth of one per cent. per annum, until they reached a maximum of five per cent. on gross receipts. With the present earnings, this would yield about $80,000,000 per annum, but earnings are rapidly increasing. The States should not complain of this arrangement, since they would receive, from the first, all of the revenue they now enjoy from this source, and without the expense of collecting it. Ultimately, they would receive much more than their present revenue.

The question will naturally arise, Has Congress the constitutional power to exempt national railroads from taxation by the States? I think it has. Under a national incorporation act, the railroads would be the instrumentalities of the National Government for the purpose of carrying out its constitutional function of regulating interstate commerce. As such instrumentalities, the act should exempt them from all State and local taxation, because "the power to tax is the power to destroy," and the nation cannot permit the destruction or impairment of its chosen instrumentalities.

The same argument applies to the rate-making feature of my plan. It would be desirable to exempt such national railroads from State regulation as to local rates. It is confusing to have the National Commission and forty-five different State Commissions at the same time act in judgment upon the same subject. And, just as there should be but one taxing power, so also should there be but one rate-regulating power,—this in the interest of simplicity, convenience and certainty. It might be possible for a national incorporation act to exempt national railroads from State regulation of local rates, upon the assumption that the power to fix rates, like the power to tax, involves the power to destroy. But, if it should not be thought advisable to attempt this, doubtless some method of amicable cooperation between the Interstate Commerce Commission and the State Commissions could be effected which would materially increase the certainty of the calculations.

There is another advantage which would surely arise from the adoption of this policy, and which is of consequence equal to, if

not greater than, the advantages which would follow fixed taxes and dividends and permanent peace for the railroad industry. This is the fact that the railroad would go out of politics. The railroad is in politics to-day because its vast property, amounting to more than ten billions, is between the upper and the nether millstone,—the upper millstone of the rate-regulating power, and the nether millstone of the taxing power. Between the two, save for the protection of the courts, these properties can be ground to destruction. The uncertainty and insecurity of their situation compels the railroads to go into politics. Hence, they take part in the election of every official whose duty is likely to trench in any degree upon the taxing and rate-regulating power. Doing everything systematically, their participation in politics means the organization of a machine in every State of the Union; and, since they pursue the lines of least resistance, this often means alliance with the corrupt element of every community. It is expensive for the railroads; and, worse than that, it is a grave menace to the institutions of the Republic.

I submit that these plans may reasonably be characterized as the common sense of the railroad question. Railroad monopoly has come in the course of natural evolution. We have learned that monopoly is inherent in our modern method of transportation. Let it be no longer outlawed, but frankly recognized, welcomed and made legal. The way to do this is by means of national incorporation.

Vast capital is required to create and maintain transportation facilities adequate to the needs of our growing country. This capital is justly entitled to its fair reward, yet cannot be permitted to fix its own profits; for it is not in human nature, and certainly not in the nature of corporations, to consider profits from an unselfish standpoint. Not only is this true, but the railroad is so intimately related to every other industry, and to the daily life of all our people, as to make it desirable that the best service should be rendered at the lowest cost. Indeed, every saving that can be effected in this regard tends to raise the standard of living of the masses. How shall we realize the best service at the lowest cost? Clearly, by giving the railroad investment the largest measure of security and the greatest certainty of earning-power. Consolidation under national incorporation is the sure road to this result. It means increased efficiency,

greater economy, cessation of wasteful competition and of demoralizing strife between the railroads and the people. It means, too, fixed dividends upon an agreed valuation.

There is a feature of all railroad regulation which seems to have escaped the attention of those who have framed bills on the subject. Rate regulation means, unquestionably, the limitation of dividends upon the investment. This is, in a sense, an invasion of property rights, and demands the concession of compensating advantages. When the public limits the dividends upon a given investment, the public ought to secure them. This is what will happen under the proposed plan. Virtually, the nation would guarantee a certain low rate of interest upon the investment.

Under this plan, the vast increase of transportation business in the future will tend to the reduction of rates and the advantage of the people. The appreciation of values which has occurred up to the time this act goes into effect rightfully belongs to the owners of railroad property. They invested in a speculative undertaking, took their chances, and created a property valuable to themselves and indispensable to the public. But now we propose to eliminate the speculative element, and to create conditions which will make railroad securities almost as good as Government bonds. In return for this great advantage, we ask that capital shall be content with a reasonable dividend upon *present* valuation. The increase in business which will inevitably arise in the future with the growth of the country will then inure to the benefit of the people in three forms. First, they will get it in the form of betterments, extensions, and constantly improving service. They will get it in the form of better conditions of employment —higher wages and shorter hours for the 1,300,000 men actually engaged in the railroad industry, and a pension fund to secure them in sickness or old age. Finally, this increase will be transmuted into public benefits, in the form of constantly lowering rates of freight and passenger traffic.

The evils of overcapitalization, of stock speculation and of corporate control of political affairs are not touched by the measure passed by the House of Representatives. Under my plan, the first would be completely done away with, the second would be greatly modified and the third would be eliminated in so far as it arises from the regulation of taxes and rates.

While this joint resolution does not pretend to be a perfected

piece of legislation, I believe it contains the germ of a railroad policy which will do equal and exact justice to all parties concerned. To capital, it will give security and assured dividends; to labor, it will give an impartial tribunal for the arbitration of disputes as to wages, hours and safety appliances; to the public, the lowest rates consistent with the investment and that high degree of efficiency which is born of modern methods. And to the capital invested, labor employed and the public served, it will, through the action of an impartial tribunal of high character and dignity, charged with the duty of settling all disputes, bring peace and immunity from constant agitation, and put an end to the continuous warfare which has heretofore existed between the railroad and its employees, and the railroad and the public.

It is plain enough that the people are restive under existing conditions. They are alarmed by the evidence that railroad rates are likely to fall under the absolute control of a few men, and that individuals will be subject to the absolute sway of these few men in matters vitally affecting their interests. The railroads are public highways. The service is a public service, and the conviction is gradually growing in favor of Government ownership.

Unless the railroad system is unified and simplified, the complexity of the situation will drive the country to Government ownership as a solution of the difficulty. The argument in favor of it is simple. It is urged that the Post-office Department is already engaged in transportation which is conducted to the entire satisfaction of the people; that its work now involves expenditures equal to about one-seventh of the operating expenses of all the railroads; that an enlargement of its operations could be secured by organizing a Division of Transportation in this Department; putting at its head a capable man, trained and experienced in railroading; authorizing suit for condemnation against all railroads, the Government entering into immediate possession and retaining the present force of employees and officials, eliminating such of the latter as may be unnecessary under unified conditions; the condemnation to cover simply the interest of the stockholders, the market value of which is now about $4,000,000,000, leaving existing bonds aggregating about $6,000,000,000 as a lien upon the property, to be retired as they mature with Government bonds at 2½ per cent., the stock to be paid for by a present issue of Government bonds at the same rate.

The railroads are now capitalized at about $12,000,000,000, one-half in bonds and one-half in stocks. The market value of the total issue is now about $10,000,000,000. The gross revenue of all the railroads for the past year was about $1,950,000,000, an increase over the preceding year of about $175,000,000. The operating expenses now aggregate about $1,260,000,000, leaving about $690,000,000 as the net income. It is urged that, under Government ownership, the Government would have to pay out of this net income the present interest on existing bonds, amounting to about $270,000,000, and 2½ per cent. on the $4,000,000,000 of the Government bonds, issued in lieu of existing stock, about $100,000,000, or $370,000,000 in all, leaving $320,000,000 for betterments, extensions and a sinking-fund for the redemption of the bonds. This latter sum can be increased by the gradual reduction of the interest on the railroad bonds from an average of 4½ per cent. to 2½ per cent., a saving of $120,000,000 annually. It is contended that a sinking-fund could thus be provided which would extinguish the entire debt in less than fifty years, and leave the operating expense alone as a charge upon the commerce of the country.

Such is the attractive side of Government ownership; but it ignores, of course, the possible evils of bureaucracy, unbusiness-like methods, political patronage, etc.

The plan of Government ownership has the attractiveness of simplicity and directness. National ownership can, in my judgment, be met successfully only by a policy of national incorporation and control, which has the advantage of almost equal simplicity and directness. I believe the policy I am advocating would give the country nearly all the benefits of Government ownership, with none of its dangers. It would abolish the evils arising from unrestricted monopoly, prevent the entrance of over a million men into the political patronage, eliminate the present corporate interference with and control of our politics and retain in the transportation service the initiative, the enterprise and the administrative capacity of the brilliant men whose genius created our present magnificent system of transportation out of the crude conditions which prevailed a generation ago.

FRANCIS G. NEWLANDS.

THE NEW MONROE DOCTRINE.

BY EDWARD S. RAPALLO AND DOMINGO B. CASTILLO, FORMERLY UNDER-SECRETARY OF STATE IN VENEZUELA.

I.

Our national experience thus far has demonstrated the justice and wisdom with which the people have in the long run decided the great political questions relating to the life and development of the nation. The gravity of the various problems now awaiting ultimate solution is clearly apparent, as well as the far-reaching consequences which will follow the conclusions finally adopted. It should certainly inspire great confidence in the outcome to observe the general interest and thoroughness displayed in the consideration and widespread discussion of the questions relating to the future regulation of our industrial enterprises, many of which have grown to be so colossal because of recent merger and consolidation; of the questions relating to the degree of control which the Federal government should exercise over railroad corporations and over the affairs of corporations transacting business in a number of States; of the questions relating to Federal taxation and tariffs; of the questions relating to our future attitude toward the dependencies which have recently come under our sway; and of the questions relating to our foreign policy.

The present time seems especially available for these discussions, which can now take place without those disturbing influences and prejudices necessarily incident to national political contests. During a period in which no election campaign is pending, we should expect to find the minds of the people more open and free for the impartial contemplation and satisfactory adjustment of these matters.

Our foreign policy has undoubtedly become a subject of greater importance than formerly to ourselves and to others, because of

the events and developments of the few years last past. The average citizen possesses now a more accurate knowledge than heretofore of the origin, history and scope of our Monroe Doctrine. Keener interest has been attracted to it by the information so widely diffused through articles in magazines and newspapers. At all times, but never more than now, has the policy understood to be embodied in that doctrine met the approval of the people of this country and received a support practically unanimous. The most conspicuous single feature of our foreign policy, this Monroe Doctrine has acquired an adherence connected in the public mind with the idea of patriotism.

Quite recently, however, suggestions have been made as to the scope and effect of that doctrine which must be recognized as novel and as foreshadowing, if adopted, a material enlargement of that scope and effect. The crucial sequence of ideas which constitutes the new departure may be observed in the propositions promulgated in substance as follows:

First.—That European Powers, in order to redress wrongs committed against them by independent American republics, are liable to find it necessary to take possession of American territory, or to undertake control of the government of such offending American nations;

Second.—That the United States cannot justly assume to forbid such possession and control, as incompatible with its own peace and safety, without insisting that the offending American nations shall be just in their conduct; and, therefore,

Third.—That the United States, in adhering to the Monroe Doctrine for its own safety, thereby, as a necessary incident, becomes subject to the obligation of a duty, and possessed of a corresponding right, to exercise itself such control over the conduct of the independent American nations as to compel them to act justly, and thus prevent such nations from making necessary this dangerous aggression by any European Power.

It is, evidently, a logical necessity to these new pronouncements that the European possession and control referred to in the first proposition must be such as to constitute an infringement of the Monroe Doctrine.

This, then, appears to be the foundation for the newly asserted right on our part to criticise and dictate the conduct of sovereign neighboring nations in the south, and to regulate and control to

some extent their national affairs. With this also goes the tremendous obligation of responsibility for their conduct. From the point of view of established rules of international law, does not the very conclusion itself cast suspicion upon the process of reasoning by which it is reached?

Is the foundation of this new theory sound? Is it ever necessary that a European Power, merely to enforce its rights or to redress its wrongs, should permanently possess the territory of an American republic, or erect therein a government of its own, or oppressively regulate the destiny of such republic, or in fact do any of the acts heretofore described in our public documents as infringements of the Monroe Doctrine? If not, the whole new fabric, the newly discovered corollary to the Monroe Doctrine, falls to the ground; for such appears to be the basis upon which it must rest.

In extreme cases of wrong-doing and injustice, or refusal of reparation, the seizure by a foreign government and temporary retention of a South-American custom-house, or a bombardment, or the exercise of force on land by the troops of a foreign monarch, or temporary occupation of territory as security for promised redress, might be justifiable methods, which would not necessarily imperil the peace or safety of the United States. Even in modern times, upon the termination of a great war waged for the supposed redress of some wrong, the victor often exhibits a desire to occupy permanently the territory of the vanquished foe, and to erect a government therein. A final adjustment is sometimes reached, notwithstanding that such result fails of accomplishment, and is prevented by other interests. Take, for an example, the case of Manchuria after the war between China and Japan. Nor does it follow that those who interfere to prevent thereby assume responsibility for the conduct of either contestant. Will it not be difficult to demonstrate by historical precedent that such permanent occupation and appropriation of territory, or that oppressive control by the victor, such as our doctrine prohibits, are ever the sole means, and therefore necessary, for the redress of national wrongs?

There seems small room for doubt that the proposed new departure in the interpretation of the Monroe Doctrine is based upon, substantially, the chain of logic described above. The President's letter to the Cuban dinner committee clearly assumes

a right to criticise and correct the national conduct of southern nations. The recent letter of acceptance implies the same assumption of authority; for, after declaring that the Monroe Doctrine has never before been acquiesced in abroad as it is now, the letter continues:

"While upholding the rights of the weaker American republics against foreign aggression, the Administration has *lost no opportunity to point out* to these republics that those who *seek equity* should come with clean hands, and that whoever claims liberty as a right must accept the responsibilities that go with the exercise of that right."

The grounds alleged for the existence of this right of control over the conduct of sovereign friendly nations in South America in their dealings with others, have been fully explained in a formal public address delivered in New York by a man of great influence in this nation, high in the councils of his own party, and recently a member of the present Administration. Because of these circumstances, as well as the difficulty of conceiving any other plausible grounds, his explanation has been received and discussed as authoritative and practically official by the people in this and other countries. The three numbered propositions above contain the crucial part of his explanation. According to the reports, this explanation was thus summarized:

"The declaration of the President of the United States is . . . that what we will not permit the great Powers of Europe to do on this continent, we will not permit any American republic to make it necessary for the great Powers of Europe to do. The *obligation* of civilization *to see that right and justice are done* by these republics which we protect with our strong arm against oppression by the other Powers of the world is an *obligation that always must go with the right that we assert.*"

The same speaker, on the same occasion, recognizing the dangers possibly confronting us, said:

"The only relation which carries the *possibilities of war* for this country, is that created by the declaration and the adherence of the American people to the doctrine which is called the Monroe Doctrine."

Does it not seem almost possible that strict adherence to this doctrine, as newly interpreted, involving the permanent assumption by us of so much greater obligations, might precipitate upon us a war concerning the proper interpretation of the word

"justice"? It is conceivable that a European Power, suffering a fancied grievance from a southern republic, might well apply directly to our government for the redress of its wrong, saying: "You have announced your responsibility for the just conduct of your neighbor, and have followed such announcement by actually controlling or influencing his conduct." Our answer might be: "Our neighbor's national conduct has been in our opinion just." Or a South-American nation may say: "You have exercised control over our conduct, and we are about to be subjected to punishment upon the ground that such conduct has not been just. Protect us from any punishment."

In view of the numerous important political questions awaiting decision by the people, it is quite unlikely that one relating to the proper interpretation of the Monroe Doctrine will be decided as a party issue. It is, however, extremely probable that a well-defined public opinion as to the true scope and meaning of that doctrine, involving as it does the germs of war, would be recognized and obeyed by every Administration in this country. For the effective crystallization of public opinion upon this subject, it must be recognized that the present proposed interpretation gives a new scope and effect to the doctrine, involving a new course of conduct. Place in contrast, then, the former interpretation.

The language of President Monroe contained in his message of 1823, so often quoted now as the initial announcement of our policy, is: "We should consider any attempt on their part (*i. e.*, the part of European Powers) to extend their system to any portion of this hemisphere as dangerous to our peace and safety." He further announced that any interposition on the part of such Powers for the purpose of oppressing or controlling the destiny of governments here, whose independence we have acknowledged, would be viewed by us as a manifestation of an unfriendly disposition towards the United States. These announcements were made at about the time, and actually in view, of contemplated efforts on the part of France, Russia and Prussia to subjugate the Spanish-American republics, revolted from Spain, but whose independence we had recognized. It may be true that the particular form of danger to the interests of this nation which would arise now from the infringement of the Monroe Doctrine by a European Power, is other than it would have been then. It has, however, never in our history been suggested that such infringement

would be harmless to us in case of the previous bad or unjust conduct of the occupied American republic, and only harmful to us in case of the previous just conduct of the oppressed American republic. The good or bad previous conduct of one of our neighbors neither mitigates nor enhances the dangers to our nation which, we announce, will arise from the subjugation of that neighbor. It was the existence itself of the empire of Maximilian upon Mexican territory to which we objected, when we demanded that France should not maintain that form of government with her troops. Our own Administrations have repeatedly announced that we have no intention of relieving any American republic from its obligations as fixed by international law, nor of preventing any interested Power from enforcing such obligations, nor from inflicting merited punishment for the breach of such obligations, and that we guarantee no State against punishment. On the contrary, we have announced that, because injurious to our national interests, such punishment must not take the form of forcibly depriving an American State of the right and power of self-government. We have stated our objection to the acquisition of American territory by a European Power, and the establishment therein of a European government. As formerly interpreted, the probability of a war arising from an enforcement of the Monroe Doctrine appears indeed remote. Although our overwhelming moral and physical power in this hemisphere would naturally designate this government as the most suitable and effective one to which an application for advice and assistance could be made in case of difficulty here, we should be no more responsible for the conduct of American republics than for that of any other sovereign nations, if the old interpretation of our foreign policy be the correct one. We should be free to protect ourselves against injury arising from complications of any nature, equally in this hemisphere as in the other. We could not, however, actually under a claim of right exercise unusual control in South-American affairs, nor with propriety threaten to do so in letters or public announcements.

Public opinion must in the end determine which of these divergent policies is our true one. Perhaps all will agree that the most far-sighted foreign policy for this nation will be such as will enable it to reap the full advantage of the singularly independent geographical position of its territory, and the industrial inde-

pendence of its people, arising from the great variety of climate and soil embraced within its boundaries. A conduct of our foreign affairs which, while affording protection to the rights of our citizens in foreign countries, will tend to keep us free from the grave disturbances incident to disputes and complications with other nations, and encourage the opening of peaceful channels for the distribution of our surplus products in localities where their superiority will make them welcome, seems most conducive to our national growth. By this course the splendid energies of the people may be continuously and uninterruptedly devoted to the development of their country.

EDWARD S. RAPALLO.

II.

THE American press has of late endeavored to hold up the United States of Venezuela before the world as the one South-American republic which most requires, in its internal affairs, the intervention of the United States, in order to preserve the integrity of the Monroe Doctrine.

This question has been placed before the American people in a very much distorted way by the opponents of President Castro's policy.

The situation, undoubtedly, presents aspects of most vital interest to the United States, and it is my intention in the course of this article to discuss fully the entire controversy from a non-partisan standpoint, and to prove that the present aggressive attitude of certain European Powers towards Venezuela is a mere diplomatic pretext to determine another issue of international moment, viz: to what extent the United States Government, in view of its recent acquisition in the East (an unwarranted intrusion in European eyes) will attempt to uphold the Monroe Doctrine.

It is a well-known fact that, since the United States took possession of the Philippines, these European nations, jealous of her growing prestige, with Germany as spokesman, have been seeking to promulgate a new principle of international policy, viz:—since the United States, contrary to the settled policies and principles of the past, may extend its possessions and spheres of influence in the Far East, upon what theory can it deny a similar right to

European Powers as far as the New World is concerned, especially as it claims that the rights of its citizens in countries remote from its territorial limits are to be protected and its commercial interests advanced?

In 1901, the disputed claims of German subjects against the Venezuelan Government gave rise to the looked-for opportunity to raise the issue directly. Various foreign subjects resident in Venezuela had furnished General Castro with supplies during the revolution which he led. When he finally succeeded in establishing a constitutional Government, with himself as President, they demanded that he recognize these claims as valid obligations of the new Government, payable from the national Treasury. This was Germany's opportunity.

Castro, while conceding the justice of certain of the German claims, insisted upon the right to have their validity passed upon by the commission appointed for that purpose by the laws of 1873 and 1893, under the provisions of which the claimants were accorded the fullest justice, including the right of appeal to the Supreme Court of Venezuela.

The German Government, however, flatly refused to recognize the decisions arrived at in the matter of these claims, either by this commission or by the Supreme Court, as binding upon its subjects and expressed the desire to settle the matter directly with the Executive; but it is inexplicable how the German Government, while accusing that Executive of influencing the judicial arm of the Venezuelan Government, could have thought it wise to deal with a branch of that Government which it had already accused of partiality.

By the action which she took, Germany, in effect, denied the sovereignty of the Venezuelan Republic, and maintained, contrary to every known and recognized principle of international law, her right to set up in a foreign independent nation a tribunal of her own making, for the settlement of claims in which she was most interested. Apparently, the only motive for this policy on the part of the German Government is found in its hidden purpose to attack the sovereignty of that South-American commonwealth, and thus become involved in the internal affairs of the Western Hemisphere.

Venezuela owed it to her dignity as a nation to decline to permit foreign intervention in the settlement of these claims which

were made upon her national Treasury. This proposition of Germany to deal directly concerning these claims with the Venezuelan Executive practically involved the denial of the independence of the Republic.

The German Legation having thus constituted itself judge and jury, and totally disregarding the local tribunals, peremptorily ordered the payment of 1,718,815.67 bolivars, which amount was their own estimate of the German claims. The order also required the Venezuelan Government to make immediate payment of the aforesaid sum, even before discharging any of her other existing obligations. And it was to enforce this order that the ports of Venezuela were blockaded by Germany and the nations who joined her in this new European diplomatic game of chess.

The defenders of the Monroe Doctrine failed to see in this aggressive conduct the deep thrust aimed at themselves.

Venezuela was compelled to pay, under protest, by the right of might; and the Monroe Doctrine proved of no avail at that crisis, because the intention at the present day is to preserve the integrity of South America only as a North-American property and without regard to the institutions of the South-American republics or their historical sovereignty. It is easy to see that, when the laws of Venezuela are violated within her own bounds, the integrity of her territory is not recognized.

At this very time, Venezuela was doing her best to pay everybody, and particularly the Germans. As a proof of this assertion, it may be stated that the Government was then paying the claims of the German railroad, incurred by the transportation of troops of President Andrade over their system.

At this time, also, the Venezuelan Government found itself compelled to deal with other serious complications growing out of the unreasonable and arbitrary position taken by the British Government in the "Ban-Righ" incident.

The "Ban-Righ" was a filibuster engaged in fomenting a revolution against President Castro, and having on board General Matos, the chief of the revolution. When this ship was not occupied in distributing munitions of war among the Venezuelan revolutionists, at various points along the coast, she lay most of the time in the harbor of Trinidad and other British waters, resorting frequently, as occasion demanded, to the use of the Colombian flag, an abuse which was not discountenanced by the Trinidad

authorities. The British Colonial Government of Trinidad, although perfectly cognizant of the unlawful enterprise in which this vessel was engaged, and of the frequent proclamations issued from her by General Matos, took no steps to prevent this flagrant and continued violation of the law of nations. When the matter was finally put before the British Minister, in such a way that further evasion on his part was impossible, he merely stated that the vessel belonged to the United States of Colombia, whither his Government had ordered her to return. He added bluntly that the Home Government was fully aware of all of the facts in the case, and entirely approved the course adopted by the Colonial Government; and that, so far as the British Government was concerned, the incident was officially closed.

Thus, Venezuela found herself "between the devil and the deep sea." On one side, the Germans were denying her national character, and, on the other, the British Colonial Government of Trinidad, with the consent of their Home Government, were conniving at the efforts of the Venezuelan revolutionists: yet, these are the very people who come forward and allege that there is no order in Venezuela, and that the nation does not meet its obligations.

In the question lately presented with regard to the Western Hemisphere, the situation of the Venezuelan international affairs has not been taken into consideration. In the protocols of February, 1903, there is a provision whereby the nations to which Venezuela is indebted can collect the 30 per cent. accorded to them without resorting to diplomatic intervention or coercive measures. Venezuela is really meeting her obligations, and wishes to do so in the future; but, at the same time, her Government very justly insists that everybody must respect and observe the laws of the Republic.

Every student of political history knows that, in certain emergencies, any nation may be compelled to suspend temporarily the payment of its obligations and to meet that indebtedness at a later period; and it is the height of injustice to contend that any nation, finding herself in this unfortunate situation, should be condemned to suffer a complete and immediate spoliation at the hands of her powerful neighbors.

The purpose in disregarding these facts and principles, as it seems to have become customary to do in the United States, is to

maintain the new international signification which has been given to the Monroe Doctrine since the successful outcome of the Spanish-American war. And here I desire to call attention to the primitive meaning of the Monroe Doctrine.

In the message of 1823, the declaration is very explicit in regard to the Western Hemisphere. It says:

"With the Governments who have declared their independence and maintain it, and whose independence we (the United States) have, on great consideration and on just principles, acknowledged, we (the United States) could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny by any European Power, in any other light than as the manifestation of an unfriendly disposition towards the United States."

In 1826, President Adams defined the Doctrine in a very plain form. According to the ideas of this statesman, "the United States is not obliged to stand guard over the two Americas." The Doctrine expresses only "the proposition of getting the states of the New World to agree that each for itself, and by its own means, should guard its own territories, and consequently that the United States neither give nor receive aid in any such enterprise, but that each should use its own means, within its own borders, for its own exemption from colonial intention."

With the entrance of the United States upon the stage of nations as a full-fledged Power, President Roosevelt has thought it convenient to give another interpretation to the Monroe Doctrine. He has expressed himself with regard to the Western Hemisphere as follows:

"It is not true that the United States feels any land hunger, or entertains any projects, as regards the other nations of the Western Hemisphere, save such as are for their welfare. All that this country desires is to see the neighboring countries stable, orderly and prosperous. Any country whose people conduct themselves well can count upon our hearty friendship. If a nation shows that it knows how to act with reasonable efficiency and decency in social and political matters, if it keeps order and pays its obligations, it need fear no interference from the United States. Chronic wrong-doing, or an impotence which results in a general loosening of the ties of civilized society, may in America as elsewhere ultimately require intervention by some civilized nation, and in the Western Hemisphere the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in flagrant cases of such wrong-doing or impotence, to the exercise of an international police power.

"If every country washed by the Caribbean Sea would show the progress in stable and just civilization which, with the aid of the Platt amendment, Cuba has shown since our troops left the island, and which so many of the republics in both Americas are constantly and brilliantly showing, all question of interference by this nation with their affairs would be at an end. Our interests and those of our southern neighbors are in reality identical. They have great natural riches, and if within their borders the reign of law and justice obtains, prosperity is sure to come to them. While they thus obey the primary laws of civilized society, they may rest assured that they will be treated by us in a spirit of cordial and helpful sympathy. We would interfere with them only in the last resort, and then only if it became evident that their inability or unwillingness to do justice at home and abroad had violated the rights of the United States, or had invited foreign aggression to the detriment of the entire body of American nations. It is a mere truism to say that every nation, whether in America or anywhere else, which desires to maintain its freedom, its independence, must ultimately realize that the right of such independence cannot be separated from the responsibility of making good use of it.

"In asserting the Monroe Doctrine, in taking such steps as we have taken in regard to Cuba, Venezuela and Panama, and in endeavoring to circumscribe the theatre of war in the Far East, and to secure the open door in China, we have acted in our own interest as well as in the interest of humanity at large. There are, however, cases in which, while our own interests are not greatly involved, strong appeal is made to our sympathies. Ordinarily, it is very much wiser and more useful for us to concern ourselves with striving for our own moral and material betterment here at home than to concern ourselves with trying to better the condition of things in other nations. We have plenty of sins of our own to war against, and under ordinary circumstances we can do more for the general uplifting of humanity by striving with heart and soul to put a stop to civic corruption, to brutal lawlessness and violent race prejudices here at home, than by passing resolutions about wrong-doing elsewhere." *But, inasmuch as we have thought in the past to advance our interests and commerce in South America, we will continue in our policy towards all these Southern Republics, and by so doing, together with a vigorous opposition by means of the Monroe Doctrine to all European Powers, we hope to eventually see all the Western Hemisphere under the all-powerful protection of the North-American Eagle.**

split infinitive

Some over-zealous editors, expressing their opinions *apropos* of the declaration of the President, have mentioned Santo Domingo and Venezuela as affording probable occasion for the United States intervention, with a view to preventing the intrusion of European Powers in the New World and maintaining the integrity of the Monroe Doctrine.

* D. B. C.

In the light of this novel interpretation of the principles underlying the Monroe Doctrine, as hitherto understood, the South-American people may expect to see the United States appear before them with the same purposes and animated by the same motives that have actuated the Powers of Europe. History does not offer any illustration of so emphatic a pronouncement as the one lately made by the Chief Executive of the United States.

If, by "chronic wrong-doing" in any foreign country, the United States is obliged to render its protection abroad, in order to defend the natural laws of men, this nation is really transformed into a new Don Quixote, "ready to undo offences and to protect the weak." And, that being so, it is necessary to inquire why this new self-dubbed knight has not gone into Russia to preserve the rights of the millions of Slavs, who are suffering under the despotic practices of the Czar. There are many enterprises in which, by virtue of the new attitude, the nation ought to take a hand. The war in the Far East offers an opportunity for the intervention of this new American knight,—of powerful figure,—in the name of humanity.

If the principle is of universal application—there is no suggestion of a limitation to it—some other nation might appropriate it and come to the United States to deliver the people from the influence of the capitalists, who have combined for the purpose of sapping the blood of the poorer classes.

In the face of this kindly purpose on the part of the United States, and of the natural conservatism of the South-American republics, the whole affair seems to offer a most apt illustration of the old Spanish proverb: "The mule thinks one thing, and the man, who is going to saddle him, another."

The South-American republics, contrary to the opinion expressed by President Roosevelt, differ entirely from the Great Republic of North America in every characteristic, both as regards the modes of living of their people and their national feelings, particularly in regard to their economical interests, which cannot be said to be in any way similar to those of the United States.

In South America there are natural riches, as is observed in the President's message; but these riches are a treasure inseparably bound up with their own national ambitions—a treasure which will be developed in accordance with the social evolution which is at present taking place in a manner peculiar, but by no means

unique in history; and if, in the course of this evolution, blood is being spilt, that is simply because of an error which has crept into the minds of the people, to the effect that a political change, often repeated, will bring about prosperity, while the fact that the welfare of a country is really the outcome of social economy, and not of financial aid, is entirely lost sight of.

These republics have also long since recognized the fact that, on their side, assimilation with the United States is quite impossible, and that a total supplanting of their peoples would be the only means of insuring a successful issue for such plans as this new interpretation of the Monroe Doctrine would involve. In view of these decisions of the South-American people, it may be readily understood that any attempt, on the part of the United States, to force on them either the idea of assimilation or the more extreme one of supplantation will meet with most rigorous and, if necessary, armed opposition.

With regard to the intention of introducing the Platt amendment in dealing with any of the independent republics of the Western Hemisphere, such an introduction, on account of the unwillingness of these republics as expressed above, must be looked on as an intrusion, which would be totally out of accordance with the views taken by the wisest statesmen of earlier days, such as Washington, Monroe, Adams, etc.

And the question may well be asked: What man living to-day could conscientiously take it on himself to speak for these grand old men of the past, and voice their opinion of the new uses of the doctrine which was set forth by them to secure the welfare of their fellow countrymen, but which is being used to-day for the purpose of spreading spheres of influence and, incidentally, increasing the territory of the United States?

President Roosevelt in the course of his message goes on to say that "it is a mere truism to say that every nation, whether in America or anywhere else, which desires to maintain its freedom, its independence, must ultimately realize that the right of such independence cannot be separated from the responsibility of making good use of it." And in this declaration is found the key-note of the President's policy, which must act as a warning to the South-American republics as to his intentions toward them. There is no precedent in history for such an utterance; and, in the absence of a precedent—nay, even assuming that the

Monroe Doctrine had provided for taking such measures—the question resolves itself into this: By what right does any country arrogate to itself the power of interfering in the domestic affairs of a foreign independent nation?

If, in reply to this question, any Power maintains that it is justified in interfering—of its own volition, and entirely in opposition to the wishes of the country over which this Power is intending to extend her protecting arm—with any little independent State, then all small nations are but nominally free and independent, right becomes a myth, and the small nations themselves occupy the position of a flock of sheep shepherded by a tiger.

President Roosevelt's recent pronouncement on this matter of interfering with South-American republics calls for consideration of a question which arises out of it, and which is of vital importance even to the United States itself: If, by virtue of the new meaning of the Monroe Doctrine, the United States intends to unite the whole New World under the Stars and Stripes, will the European Powers stand by and regard this new state of affairs with equanimity? If not, the complications resulting from unwillingness on the part of Europe to connive at the wholesale swallowing up of the American continent by the Eagle, must involve a universal war, which can only have one issue—*i. e.*, the entire dismemberment of South America at the hands of Great Britain, Germany and France; and, furthermore, the safety and independence of the United States itself may be threatened. In the event of this most undesirable result occurring, the blame will lie solely at the door of this distorted view of the Monroe Doctrine, which has already been violated by the appropriation of the Philippines.

The idea of being subject to any European Power is naturally repulsive to every free-born American; the possibility of this state of affairs ever coming about is very remote; but, should it ever appear to be nearing realization, Americans would offer an opposition which would only end with death. In view of this determination on their part to preserve their independence at all cost, how can the people of the United States entertain the idea that the republics of South America, which are as free and as independent as themselves, whose peoples are opposed in every way to the Saxon race, not only on account of racial reasons, but

also on account of the differences of social, political and religious interests—how can they expect that these people will be willing to come under their sway?

It will, therefore, be seen that the South-American republics are determined to remain as they are, and the American people would do well to consider carefully the possible consequences of an enterprise aimed against these republics before giving it their support, for, if the Philippine problem contained a somewhat unwholesome dose for "Uncle Sam," the South-American republics will prove to be a dose of poison.

One word more. The Cuban question, as it has been settled by the United States, is simply the natural result of the Hispano-American war; the settlement of the Panama affair has been realized solely because the Colombian Government did not have the courage necessary to expose a scandal, whereby the interests of all South America would be affected. But any enterprises directed against the other republics of South America, particularly Venezuela, will probably not meet with the same success.

DOMINGO B. CASTILLO.

THE CALL OF LORD KITCHENER.

BY ANGLO-INDIAN.

When the Prime Minister tells us that the problem of the defence of the British Empire is the defence of the borders of Afghanistan, he strikes a note which may jar on the ears of the insular kingdom, and vibrate uneasily through the vast Empire of India. It awakens us to the fact that sea-power is no longer sufficient; that the doom of all Continental nations has at last fallen on the careless expansion of Great Britain; and that we are coming face to face with the phantom of conscription. The problem is as old as our Indian Empire itself. It has been the subject of the controversies of the Lawrence and the Forward schools; it has been the riddle of our statesmen and our great soldiers; it has been exaggerated and belittled, but it is regrettably persistent, and cannot be shelved. Mr. Balfour is absolutely accurate in his description of the problem. It is the defence of the British Empire, and this imperial fact will not be forgotten when the question of ways and means has to be considered. But Lord Curzon and Lord Kitchener, who are striving to solve and not to shelve the problem, will as practical men devote themselves to its local aspect, which is, primarily, the defence of India against Russian aggression.

Of late, the old controversy has been hushed, and the policy on the northwestern frontier of India has been an honest effort toward military concentration as against diffusion, and toward tribal conciliation in place of exasperation. The spirit of military adventure, which was once supposed to inspire our frontier officers, has disappeared, exorcised by the knowledge that excursions over the boundary were fraught with serious consequences to the British Empire at large. Of late there has been ample food for anxious thought. The disturbances which were anticipated

when Abdur Rahman passed away have not occurred, and the Amir Habibulla still holds intact the Afghanistan which his father gripped with an iron hand. Events in the Far East have set all men thinking—Afghans, Persians, and in India the rulers and the ruled; while the strenuous activity of the Russian engineers and the approach of the Merv-Kushk and the Orenburg-

NORTHWESTERN INDIAN FRONTIER AND ADJACENT TERRITORY.

Tashkent railways to the gates of Herat, and the precincts of Mazar-i-Sharif, make us call for maps and scan closely the country north and west of Afghanistan.

Great confidence is felt in Lord Curzon's ability to neutralize the consequences of Russia's steady advance. He has practically

devoted his life to the study of the complex Eastern question, and his knowledge of the Indian frontiers is perhaps unique. He may be trusted to lose no chance, and to take no unnecessary risks. Equal confidence is felt by the British public in the Commander-in-chief of India. Lord Kitchener has won a reputation for strategy, efficiency and economy, and he too is not likely to run useless risks. We may feel sure that any scheme for the defence of India which is put forward by these two brilliant and experienced men will be comprehensive, complete; but, withal, cautious.

Our object in this article is to explain the measures which are being taken by Lord Kitchener to safeguard India from attack. He has visited the frontiers and formed his own opinions on the spot. He has personally or through his officers formed some ideas as to the comparative merits of the various races which make up his fighting strength. He is not responsible for ordnance, commissariat, transport and military works, but in his military colleague—Sir Edmond Elles — he has an able and prudent guide. By this time he has realized the financial limitations of the Government of India, and acquired some knowledge of the political situation in India and beyond her borders. He must master all these branches of knowledge before he can formulate a scheme for the defence of India.

The problem before Lord Kitchener is the defence of some 700 miles of frontier lying between Karachi and Peshawar. For a general understanding of the problem, we need only look at Peshawar leading to the Khyber pass and to Kabul; Kohat, of which the route runs to the Peiwar Kotal; the Tochi pass by which Ghuzni is approached, and the Bolan pass which runs to Quetta, Chaman (the rail head) and Kandahar. The first three lines pass through a wild, mountainous and difficult country infested by treacherous and turbulent tribesmen. Punitive expeditions, blockades, and blackmail are the methods adopted by the Indian Government for coercing or conciliating our restless neighbors, but the effect is transient; and when the boys of the last expedition have grown to be men, and the fanatic priest has been succeeded by a still more truculent *mullah,* the trouble begins afresh.

Beyond the tribes is Afghanistan—that baffling buffer-state. It is almost our own creation, for it rested with us to give or

withhold the province of Kandahar when we made Abdur Rahman Amir of Afghanistan. By money we helped him to start his administration, and by an annual subsidy of 12 lakhs* of rupees from 1883—raised ten years later to 18 lakhs—we have enabled the Amirs to carry on the difficult task of ruling perhaps the most unruly country in the world. This subsidy was for the payment of the Afghan troops, and for other measures required for the defence of the northwestern frontier of Afghanistan. At the great Rawal Pindi Durbar in 1885, the Amir Abdur Rahman said in the presence of us all that he was ready with his arms and his people to render any services that might be required of him or the Afghan nation. "As the British Government has declared that it will assist me in repelling any foreign enemy, so it is right and proper that Afghanistan should unite in the firmest manner, and stand side by side with the British Government." And with these brave words our friendly neighbor and ally returned to inscrutable Kabul, never again to set foot on Indian soil. Ten years later, so satisfied were we of our neighbor's good-will that, "wishing to see Afghanistan independent and strong, the Government of India will raise no objections to the purchase and import by His Highness of munitions of war. They will themselves grant him some help in this respect."

In dealing with Abdur Rahman, we were dealing with perhaps the most capable character that has ever paced the Oriental stage; and it was politic to give him a blank check, and to trust to his self-interest to spend the money on making Afghanistan strong and independent. It was, perhaps, politic to avoid too minute inquiry into the "further measures required for the defence of the northwestern frontier of Afghanistan"; but our diplomatists might have remembered that Abdur Rahman was not immortal, and that some guarantee would have proved useful, when the great Amir passed away. Our good money has gone, but we know nothing of the Afghan troops, or the defence of the northwestern frontier; and though we are responsible for the foreign relations of Afghanistan, we are in the ridiculous position of undesirable aliens or isolated outsiders at the court of Kabul. There may be the love of the friend and ally, but it is most carefully and constantly dissembled. The situation is difficult and embarrassing for the statesman. It is equally dif-

* A lakh of rupees equals about $30,000.

ficult for the soldier. How is Lord Kitchener to defend the Afghan borders, if he is in doubt as to the real intentions of the Amir and his people? There are only two guarantees of the good faith of Afghanistan. If she wants her friend and ally to stand side by side with her against aggression from the northwest, she must make his paths straight and easy. She must construct, or allow to be constructed, railways from Chaman to Kandahar and Peshawar to Kabul, and she must connect Herat, Kandahar, Kabul and Mazar-i-Sharif with the telegraphic system of India. In the second place she must leave the tribes on our frontier severely alone; and, if she were wise and in real earnest as to co-operation, she would join hands with us in drawing the fangs of the Afridis and the Waziris. These tribes are a constant menace to the peace of our frontier, and they will be an obstacle and peril when we advance into Afghanistan. It is greatly to be regretted that in the fighting-days of Abdur Rahman we did not earmark some part of our subsidy for the pacification of the frontier tribes. Nothing would have knit the two nations more closely than the brotherhood of arms.

If one looks at the map of Afghanistan one notices Herat, Kandahar, and Kabul. The first has been called the gate of India, but it is only the lodge-gate, and there is a long, but on the whole an easy, drive before India is reached. From the Indian point of view, Kandahar is more important, while Kabul as the capital is by far the most important of all. Herat cannot be defended for long against attack; and, if war breaks out, it would be prudent to destroy the fortifications and to remove all stores. The invader may be delayed, but he cannot well be stopped before he reaches the Helmund. If, indeed, Afghanistan is to be defended, Kabul and Kandahar must be held in force. Large British armies must be thrown into their neighborhood, and this cannot be done without railways. Afghanistan is a miserably poor country. Every patch of fertile land is cultivated and the food-products barely suffice for the sparse population. Those who remember the operations of 1878-80 will never forget the enormous difficulties which attended the supply of our troops in Afghanistan, yet they were a mere handful compared with the armies which will be required if we be called upon to assist the Amir in repelling a foreign enemy. The supplies must come from India; and, if we push our railways to the furthermost points of

our frontier, it will be most difficult to feed our troops unless the railways be carried to Kandahar and to the neighborhood of Kabul. We are confronted with a dilemma. It is quite possible that, when Afghanistan is invaded from the northwest, the Amir and the majority of his people will turn to us for assistance. They know that we have no definite intentions of absorbing their country and of pushing further west. And they equally know that Russia has very definite intentions of reducing Afghanistan to the status of a Khanate as a preliminary to the conquest of India. But it is no use turning to us too late, no use asking us to undertake an impossible task. What can Lord Kitchener count on if he enters Afghanistan? He will find no supplies. What will he find in the way of trained soldiers and munitions of war? We know little of the Amir's regular army or of the output of the ordnance-factory. Some guess that the regular army consists of about 70,000 men; and all say that the regiments are without capable officers, and that the guns, rifles and ammunition, whether imported or manufactured at Kabul, are jealously and timidly withheld from the troops. It is an unknown quantity, and Lord Kitchener cannot count on useful auxiliaries; nor, indeed, can he afford to discount the rabble of Afghan fighting-men as possible guerrilla opponents. It seems so obvious that the Amir—alive, at last, to the danger threatened by Russian railways—should hasten to ask us for officers to take stock of his arsenals, to train his regiments in musketry, and to advise as to the fortifications which will be essential for effective resistance. But here the Amir is met by a dilemma. Boastful and conceited as is the Afghan, he knows that the British adviser has an awkward way of becoming a dictator. The Amir has inherited many of his father's ideas, and he knows that British assistance must mean a British protectorate. There is something almost pathetic about the expression used in the agreement of 1893. We wish to see Afghanistan "independent and strong." The Amir wishes to be "independent and strong," but he realizes that it is a contradiction in terms. He can only be strong for the purpose of repelling Russian invasion if he has British troops and British officers and agents *permanently* located in Afghanistan, and he and his people know that such strength is incompatible with independence. At all points of the problem there are dilemmas and difficulties; and it is well to remember

this fact, and to bear with the Amir in his difficulties with patience and consideration.

One of the wisest men who ever helped to make Empire in India once wrote:

"You wish the red line of England on the map to advance no further. But to enable this red line to retain its present position—to prevent its being drawn back or erased from the map—it is, it appears to me, absolutely necessary to occupy posts in advance of it. I cannot see how, consistently with safety, it can ever be otherwise with regard to a great Empire held by a foreign Government, as we hold India. A severe struggle within our established limits with a powerful invader—although attended with immediate success to us . . . might render it necessary to maintain large armies in the field in the interior of our dominions for a protracted period, in order to restore that internal tranquillity which might not be in the least disturbed even by many battles fought beyond our frontier."

It is more than fifty years since General John Jacob wrote these words, and India has changed, and some of the outposts in advance of the red line of those days have been occupied, but many still hold to the policy enunciated while railways were still in their infancy. Lord Kitchener has to deal with a larger and more difficult problem than that which faced General Jacob and the great men of that time. It is true that he has a larger and far more efficient army than existed in the fifties; he has railways, and rapid communications with Great Britain, and he has, it may be hoped, a far more peaceful India to police and to defend than was the India which passed from the Company to the Crown. The *Pax Britannica* has transformed British India, and has changed the aspect of the vast territory—some 680,000 square miles—which still remains under the rule of the Indian Princes. These are no longer interesting historical survivals, or doubtful factors to be jealously watched, but in many cases are active colleagues of the British administration, contributing towards the defence of India by the maintenance of highly efficient regiments known as the "Imperial Service Troops." If proof were wanted of the peace of internal India, we need only look back a few years, when the Indian garrison was depleted by 31,000 men for Imperial purposes in South Africa and China. It was a time when British prestige suffered an eclipse, but no sign of unrest was visible in India.

Long before Lord Kitchener took up the high office of Commander-in-chief in India, the character of the Indian Army was changing. Originally a force for the preservation of peace within India and for repelling raids on the frontiers, it has for many years been quietly prepared for the larger eventuality of meeting a civilized Power. Gradually, the hardier soldiers of the North have been substituted for the gentler and less efficient races of the South, and the sepoy is now recruited, not for the easy duties of the Indian garrison, but for the more trying conditions of the frontier and beyond. Rigid economist as he is reputed to be, Lord Kitchener cannot solve the problem formulated by Mr. Balfour without increasing the expenditure on the Indian Army, and the figures steadily grow—fourteen millions sterling in 1900, sixteen millions in 1902, and an estimate of over nineteen millions in 1904. If we look at the size of India, larger than Europe if we exclude Russia; if we look to the population, some 300 millions of people; and if we look to the enormous trade rising by leaps and bounds—nineteen millions does not seem a heavy sum to pay for insurance; but it represents nearly one-fourth of the total revenues of India. A large share in the increase is due to the rise in pay of the British troops—a very doubtful measure, for which Lord Kitchener and the Indian Government are in no way responsible. The remainder is due to the change in the status of the army, from occupation and police to defence, and we find that the chief items are armament, stores, transport and mobilization. Lord Kitchener does not increase his army, but he increases its efficiency. If we include the Imperial Service troops and the Volunteers—a small force under 30,000 men—Lord Kitchener has an army of 203,000 Indians and over 74,000 British regulars. He can increase his Indian troops if he can find the money and if he can simultaneously add to his British force—for the most elementary principle of our Indian administration is that, both in peace and in war, the British soldier should be close to the Indian sepoy, and that the sepoys should not outnumber the soldiers by more than two to one. Another axiom of the Indian military system is that the artillery should—with the exception of a few mountain batteries—be British. Both these limitations cramp the power of expansion; but, civilized as India is becoming, Lord Kitchener still has good recruiting-grounds, and the Sikhs, Ghoorkas, Pathans, Punjabi Mohammedans, and

Docras, properly trained and well led, will hold their own with any fighting-men in the world. Lord Kitchener has also splendid material for irregular cavalry in the warrior caste of Rajputana, and an endless supply for irregular infantry as he draws near the country of the frontier. But he wants officers. It would not be over the mark to say that for his existing army, and for irregular forces, which might be usefully employed if India had to be defended against a foreign army, more than one thousand officers in addition to the present strength would be required. They must know the languages and the customs of the Indian races, and they cannot be improvised at a moment's notice.

We do not propose to discuss in detail Lord Kitchener's reforms. They are based on the latest experience and the most recent military science, and they aim at making the heterogeneous forces of India uniform, efficient, and ready in peace time to pass into a state of war. Many of his schemes will take time. He wishes to create real native officers possessed of initiative and independence; and, if he succeeds, he will add enormously to the strength of the Indian army. He is straining every effort to make his army self-contained, and in a short time he will cease to depend on Great Britain for his guns, rifles and ammunition. But he must still depend on Great Britain for his British troops, and at this point the responsibility of the Commander-in-chief ceases, and the grave duty of the Defence Committee begins. Lord Kitchener is ready to arrest temporarily the advance of the invader; but, whether his task be the defence of Afghanistan or, as some suppose, the easier task of defending the frontier of India, he must look to Great Britain for reinforcements. If, in spite of the suicidal and suspicious policy of Kabul, we are bound in honor to advance beyond our frontier, "to occupy posts in front of it," we shall want larger and still larger reinforcements; and, even before mobilization, the British army in India should be greatly increased if Lord Kitchener is to maintain the due proportion between the Indian and the British troops, both in the field armies and in the obligatory garrisons scattered throughout India. It is useless to form estimates of the reinforcements which will be required, or to theorize as to when these reinforcements can arrive from oversea. Calculations have been made, nice calculations, as to the exact number of divisions which must be in certain positions within four months

after the outbreak of war; but it is one thing to calculate, and another to move troops through a barren and probably hostile country. Till the moment comes, no one can say how many regiments will be required to keep up our communications with Chitral and to watch the Waziris; but, to take a concrete instance, Lord Kitchener would have to lock up four brigades of his exiguous force to keep open the twenty-five miles of the Khyber Pass for the advance of his divisions to Kabul. If it is to be done, it must be done on a magnificent scale, and Great Britain must find the men and the money. The defence of Afghanistan is an Imperial matter, and it must be in the main accomplished by British troops. Few who have not served in the inhospitable country of the Amir can realize the hardships of campaigning in that mountainous and infertile region, or can imagine the miseries of the climate—the heat of the passes, and the cold of the plateau. If the campaign be protracted, it is no country for Indian troops. And, if it be done on a grand scale, railways are essential; and with railways the independence of Afghanistan, as understood by the Afghans, will disappear. Railways would civilize the country, and would achieve in one year what our policy has failed to accomplish in half a century; and, if the Amir wishes to see his country strong and in harmony with the times, he must accept the inexorable fact that the advance of civilization must be met by the arts of civilization.

So far as finances and the political conditions of India and Afghanistan will allow, Lord Kitchener will do his part in the problem. He will push his railways to the foot of the Peiwar Kotal and towards the Kabul River beyond Peshawar. He will have every available soldier and gun ready for an advance—it may be for a race—to certain strategic points in Afghanistan; but he must look back anxiously to India itself, to Great Britain and to the sea. At the best, his preliminary task will be difficult, dangerous, and, owing to the Afghan character, thankless; but there is complete confidence in India that this great soldier, with his splendid record of success, will succeed. Even in his preparation, he is beset with dilemmas. Preparation for such a campaign as is now in men's minds is costly, and it may involve an increase of taxation in India. The margin is perilously small, and one turn of the screw might raise political difficulties in India most hampering and embarrassing.

What does the taxpayer in Great Britain think of the problem? Eventually, he must pay the bill and find the fighting-men for the defence of Afghanistan. Knowing little of the facts, which have been weighed by the Defence Committee, he will look at the map and scratch his head doubtfully as he gazes at the Indian rhomboid. He may ask whether the problem of the defence of the British Empire might not be limited to the defence of India. As he runs his eye down the map and sees Seistan (commanding the Helmund River and the route from Herat to Kandahar) and the Persian Gulf, he may have the uneasy feeling that, if he guarantees Afghanistan to-day, he may logically be invited to guarantee Persia to-morrow. "Where," he will ask, "is the policy of outpost in advance of the red line to end?" This year it may be Kandahar, Ghuzni and Kabul; but Russia's railway activities may turn the flank of Afghanistan and Baluchistan, and force us into holding a line from Seistan to Bunder Abbas. Again, German enterprise in the direction of Bagdad may necessitate some countermove. Will England pay? Assuredly, India can neither find the money nor the willing sepoys for service in regions so remote and uncongenial.

Such a critic, lacking the full knowledge of the Defence Committee, will urge that we have a fairly useful frontier which might be rendered most formidable if we dealt with the tribes once and for all, and created another Quetta on the highlands of Tirah. He looks upon the easy entrance of Russia into Herat and Afghan Turkestan, unhindered by hostile tribes, as a foregone conclusion; and he would rather await the shock on the Indian frontier with troops secure, confident and well supplied.

We may feel very sure that the Defence Committee has anxiously considered the respective advantages of the definite inner line, and the unfortunately indefinite outer line of resistance, and in deciding for the latter is well assured that it is the safer and the cheaper course.

But, inasmuch as it will involve sacrifice on the part of Great Britain in money and men, it would be wise if Government would take the nation into its confidence and would explain why Afghanistan must be defended. The explanation might, among other important matters, refer to the following considerations. We are bound by no treaty with the Amir to defend Afghanistan,

but we are party to an international understanding with Russia which in 1885 only aimed at "contributing to the establishment of peace and security" in the Amir's possessions. We are not embarking on a policy of adventure and advance, but are compelled, alike by our prestige and self-interest, to sterilize the glacis of India as long as possible, and to resist the humiliation of being ousted from spheres where our influence has been established and our interests materialized. If we contracted our spheres of influence, the peoples of India and our frontier neighbors would ascribe such action to weakness and bad faith. Such contraction would not in the long run tend to the easy or economical defence of India. If we allow Russia to occupy the glacis, the military burdens of India and of conscript Great Britain will be permanent and grievous. If we strike, and strike effectually, at the foe when, after violating the frontier, he approaches the defensible positions of Afghanistan, the military burden will be heavy indeed, but temporary. We may help the Amir with the loan of officers for his regiments. These may hold the passes to the North; but Lord Kitchener will fulfil his duty to India and to Afghanistan if he can stand firm on the Kabul-Ghuzni-Kandahar line. He will have the tribes behind him, and in front an enemy embarrassed by difficulties of supply and harassed by a fanatic and furious nation of marksmen mountaineers. Some would counsel half measures and suggest partition, the easy southern part of Afghanistan falling to us, and the more difficult northern country being left to Russia; but we should lose prestige in India and earn the lively hatred of Afghanistan by such an arrangement, and should be making over to Russia the only material of value in the Amir's dominions—the fighting-men of the north. Partition may some day prove inevitable, but we should not work for it. There are only two alternatives. The first is to hold our present frontier, strengthened by the bastion of Tirah, and to hold the Persian Gulf as a British lake, leaving the crumbling kingdoms of Islam to their fate. The second is to defend the irreducible minimum of territory which is required for the purposes of buffer in Afghanistan and in Persia.

ANGLO-INDIAN.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: PARIS: WASHINGTON.

LONDON, *March, 1905.*

AT the moment of writing, the Government has touched its lowest depths of internal confusion and external helplessness. Since my last letter it has failed, with all the local conditions in its favor, to win back one seat, and it has humiliatingly lost another. It has been obliged to shed one of its ablest and most successful Ministers. Its majority, which was over 130 in 1900, and on non-fiscal questions is still put at 84, has thrice fallen below 30. If slack attendance and a general air of exasperation and lassitude may be taken as proofs, I should say that it has ceased to believe even in itself. The divisions within its ranks have taken on quite recently a fresh note of personal intensity, and two or three incidents have cropped up to show that the fiscal question is not the only one on which Ministers are at sixes and sevens. It ought to be possible to add that the Opposition has made the Government's difficulties more difficult still. But this is a compliment which, from the very beginning of the fiscal issue, the Liberals have not earned, and even now do not deserve. As tacticians, they are immortally maladroit. When their obvious game is to increase the dissensions on the Government benches, to set Balfourites against Chamberlainites, and the Unionist Free-Traders against both, they have brought forward motions and moved amendments that played immediately into the Prime Minister's hands and enabled him for the moment to present a triumphant and united front. Every direct assault conceived and carried out during the present session by the official Opposition has merely served to renew the vitality of the Government. When Parliament reassembled, the talk of the lobbies pointed to an early dissolution. Within a week, thanks to the blundering manœuvres

of the Liberal Front Bench, there seemed no reason why the Government should not last out its legal term. Within a fortnight, the Ministry had fallen into pit after pit of its own digging, and if to-day the sentiment prevails that the whole situation has become once more impossible and unendurable, the Government has only itself to thank for it.

Of this extraordinary situation we have had, just recently, a first-class example in what is known as "the MacDonell incident." Into the personal aspects of that episode it is not necessary to enter at any length; like everything else connected with Ireland, they have been preposterously exaggerated. Sir Anthony MacDonell, one of the ablest of India's many able men, was appointed Permanent Under-Secretary of State for Ireland in 1902. He might, had he chosen, have had the Governorship of Bombay; but, being an Irishman, a Catholic and a Home-Ruler, he elected to go to Dublin Castle, in the hope of being able to round off a brilliant Imperial career by "doing something for Ireland." One condition he made on accepting that most thankless of offices—that he should be allowed a greater initiative in influencing the policy and acts of the Irish Administration than most Under-Secretaries, that he should, in fact, be regarded rather as a colleague than a subordinate. This condition was agreed to by Mr. Wyndham, the Irish Secretary, and by Mr. Balfour; and it was further arranged that Sir Anthony should, among other things, devote special attention to "the coordination of the detached and semi-detached boards and departments"—some forty-two in number—that at present misgovern Ireland. On this understanding, Sir Anthony, with the knowledge and consent of the Chief Secretary and of the Viceroy, entered into communication with Lord Dunraven, the prime mover in that policy of conciliation which bore such magnificent fruit in the Land Purchase Act. Their conferences resulted in the publication in August of last year of certain general proposals for administrative devolution, and "a decentralization of Irish finance." The publication caused some excitement among the Unionist extremists, but elicited no disclaimer from the Chief Secretary. A month or so later, the proposals were again set forth in a more definite and detailed form, and were found to recommend the establishment of an Irish Financial Council, consisting of twelve nominated and twelve elected members, to control all purely Irish expenditure,

and the setting up in Dublin of a statutory body to deal with the whole range of private Bill legislation for Ireland. Mr. Wyndham at once wrote to "The Times," declaring the opposition of the Government to "the multiplication of legislative bodies"; the Ulster Members of Parliament broke into furious assaults on the Permanent Under-Secretary, and on February 16th the Cabinet solemnly censured Sir Anthony MacDonell for his "indefensible" conduct.

Any one can see how readily such an affair would lend itself to the polemics of party warfare. Why, to begin with, were the special terms of Sir Anthony's appointment concealed from the Cabinet and the Unionist party? How came it that Mr. Wyndham, in his innumerable talks with the Permanent Under-Secretary, never realized whither events were tending? Why did he not repudiate Sir Anthony at the very outset of his negotiations with Lord Dunraven? And why, above all, was the Viceroy omitted from the censure which was passed on the Under-Secretary? All these and many other points were pressed home against the Government by Irish Unionists, infuriated at their "betrayal"; by Irish Nationalists, who found them an ideal party weapon; and by the official Opposition. But, after all, the true and essential importance of the whole episode is the evidence it contains of the helplessness of Unionism to deal with the Irish question. English Unionism is tied to the Ulster extremists, and simply cannot, however much it would like to, move in the right direction. Mr. Wyndham became convinced that a new era in Irish administration was inevitable, and he sent Sir Anthony to preside over its inauguration. Sir Anthony reported that in some form of devolution lay the only hope of escape from the present administrative chaos. The men from Ulster at once set up an uproar, Mr. Wyndham grew alarmed and retreated. That there was a battle royal in the Cabinet is, I have every reason to believe, the fact. Eventually, it was not Sir Anthony, but Mr. Wyndham who was thrown to the Ulsterites. But the general moral that every one extracts from the incident is that English Unionism is showing a spirit of steady approximation towards the Liberal view of Irish affairs; that that spirit is hampered and frustrated by the blind and bitter resistance of Irish Unionism to any and every reform; that for the first time a clear gap has been revealed between the tendencies of English Unionists and

the tendencies of their Ulster allies; that Irish legislation is slowly ceasing to be a matter of party controversy and becoming more and more a matter of unanimous consent; and that the great measures of the future—measures that will check the utter wastefulness of the Dublin Castle system, that will provide the Catholic population with full opportunities for higher education, and that will give Ireland as much control over her private Bills as Scotland possesses—will be passed, as the Irish Land Purchase Act was passed, *nemine contradicente*. Meanwhile, after Mr. Wyndham's pronounced leanings towards the policy of governing Ireland according to Irish ideas, it becomes impossible to raise the Home Rule bogey in its old form. Every one knows that the Liberals will not introduce another Home Rule Bill along Gladstonian lines. The Irish policy of the next Government has, in fact, been settled in advance by Sir Anthony MacDonell, Lord Dunraven and Mr. Wyndham. The Liberals will do what the Unionists wished to do, but did not dare; and though the Irish Nationalists may, for tactical reasons, endeavor to swing the Irish vote against the Liberal candidates in the twenty-odd English constituencies where it exists, I have no doubt that they will support the Liberal Government and accept what they can get, not as a final settlement, but as a substantial instalment.

The defect, so palpable throughout the MacDonell episode, of not knowing your own mind and of always trying to be on both sides at once, has with the present Government become a habit, if not an instinct. It is at the root of their attitude towards the fiscal question, it has permeated their handling of army reform, and they cannot break loose from it even in the treatment of minor issues. The other day, for instance, Lord Percy, the Under-Secretary for Foreign Affairs, spoke on the Macedonian problem in a way that was out of all harmony with the utterances of his official chief, Lord Lansdowne. While the latter has been writing excellent despatches, full of sympathy for the sufferings of the Christian population, and insistent upon the necessity of real reforms, Lord Percy announced that the Turk must "not be pressed unduly"; that the Armenians and Macedonians "exaggerate their hardships"; that the really culpable people are the revolutionaries, and so on in the familiar Disraelian strain. But the shifts to which a Government is driven that has no policy, except a policy of suave non-committal, have been illustrated, most

abruptly of all, by the Lord Hugh Cecil and the Gibson Bowles affairs. Mr. Balfour long ago announced that the fiscal question was not to be treated as a test of party loyalty. His declaration had no effect on the Chamberlainites, who have done consistently everything they can to drive the Unionist Free-Traders out of public life and supplant them by pure Protectionists. In three cases at least—those of Lord George Hamilton, of Mr. Ritchie, and Mr. Arthur Elliot—Mr. Balfour has watched the operations of the Tariff Reform League without a word of dissent or even criticism. But in the case of Lord Hugh Cecil, the youngest and ablest of the late Lord Salisbury's sons and the Premier's first cousin, he was moved to action. Lord Hugh Cecil, though a Free-Trader, is a convinced and brilliant Conservative. Mr. Morley, who, like all men of lofty natures, is quick to recognize promise and to applaud it, said of him a few days ago that "he has a brilliant power of argument, he has a grand elevation and sincerity of character, and he has a natural gift of sterling and moving speech which, I think, has not been surpassed in the House since the departure of Mr. Gladstone." Lord Hugh Cecil sits for Greenwich; and the local Conservative Association, prompted thereto by the Tariff Reform League, attempted to substitute for him, as their candidate at the next General Election, a Chamberlainite. They made a formal request that the Prime Minister and the Central Conservative organization should withdraw all support from Lord Hugh Cecil, and leave the local Conservatives free either to oppose him or to adopt a neutral candidate in his place. This, Mr. Balfour, through the medium of the Chief Whip, flatly refused to do.

The effect of this refusal was, naturally, to encourage the Unionist Free-Traders. At last, said every one, Balfour has stood up to Chamberlain, and refused to sit with folded hands while a stanch Conservative is being drummed out of the party. But, in a day or two, the Gibson Bowles incident forced an entire reversal of judgment. Mr. Gibson Bowles is a free-lance Conservative and a convinced Balfourite. He opposes Mr. Chamberlain, but he believes in the reality and efficacy of Mr. Balfour's fiscal programme. For the rest, he has been a sharp and pertinacious critic of the Government's measures and policy. Mr. Bowles represents King's Lynn in the House. Lord Stanley and Mr. Fellowes, two Free-Trade members of the Ministry, agreed to speak

at one of Mr. Bowles's meetings. They consulted the Chief Whip before making the agreement and received his sanction. But, no sooner was it known that members of the Ministry were going down to support a non-Protectionist candidate, than the Chamberlainites insisted on the arrangement being cancelled. It was cancelled, and the Government was placed in the amazing position of backing a Free-Trader in one constituency and disowning a Balfourite in another. Of such a Government what is there to say? Its actions are referable to no settled criterion, unless it be Mr. Balfour's resolve to keep the party together and in office at any cost. That I believe to be the strongest passion of his political nature and the guiding principle of his political acts.

It is a possibility that the Budget may prove the jumping-off board for the Ministry's plunge into dissolution. Though Mr. Chamberlain declares that, so far as he is concerned, and so far as his programme is concerned, the General Election cannot come too soon, I fancy that he will do nothing to bring it on before the Budget. And for this reason. His son, Austen, is the Chancellor of the Exchequer, and what many people believe (quite erroneously) to be the one tender spot in Mr. Chamberlain's nature is his undisguised solicitude for his son's success and his pride in his achievements. Hitherto, Mr. Austen Chamberlain has not found himself in that position which to a Chancellor of the Exchequer must always be the most enviable of all positions; he has not been able to show a surplus. But this year he will show not merely a surplus, but a large one. Trade has been, on the whole, remarkably good; the new naval estimates, based, of course, on the new naval scheme, effect a saving of about $17,000,000; and, altogether, for the year 1905-1906 it is calculated that the Chancellor will be able to dispose of a surplus of from $20,000,000 to $30,000,000. Mr. Chamberlain *père* is not going to deprive Mr. Chamberlain *fils* of the credit and gratification of such a situation. A penny, and possibly twopence, will assuredly be knocked off the income tax, and the duties on tea and sugar may be slightly reduced. Whether the Government will then appeal to the country, I do not know. A "popularity" Budget is always a temptation to dissolve; but whether the Ministry resists or succumbs, it will make no difference. This country is not to be bribed into accepting Protection even by twopence off the income tax.

ST. PETERSBURG, *March, 1905.*

"VLADIMIR'S DAY" marked the end of the prelude to the Russian revolution which was inaugurated by the Zemsky Congress. With the blood bath of that historic Sunday the movement entered upon a new phase characterized by disorganization in the bureaucracy, strikes and conspiracies among the people, and bloodshed and anarchy everywhere. The appointment of Prince Mirsky to succeed Plehve was a piece of administrative legerdemain: the object being to dangle glittering hopes before the eyes of the intelligent classes, and keep them harmlessly engaged until Kuropatkin had time to score a success. But that game was obvious to the Liberals; and, after it had gone on for some time with shining counters for stakes, the people asked to have them exchanged for hard cash, and then came the political bankruptcy.

The events of "Vladimir's Day" changed the entire outlook as by the waving of a spiteful magician's wand. The tournament of eloquence and diplomacy theretofore carried on in banqueting-halls, around green tables, and in the pages of the newspaper press was at once transformed into civil war of the most demoralizing kind. The storm that ensued swept away every vestige of the Tsar's new-born solicitude for the reign of law and the desire of the moderate Liberals to make allowance for a monarch born to occupy a throne and trained to wield omnipotence. The press was muzzled; banquets, nay, dinners or meetings of five persons in private houses, were forbidden; the most peaceful and loyal citizens were dragged out of their beds at night and imprisoned; a Governor-General was appointed with dictatorial power, and the Autocracy got ready to rule in spite of the people. "Russia belongs to you, great monarch," some provincial noblemen wrote in a fulsome address to the Emperor, and Nicholas II acted as though it were literally true. Thenceforward the hopes of the Autocracy were grounded on the efficiency of the police.

During the Mirsky era, the Social Revolutionists who had killed Plehve withdrew entirely from the arena, in deference to the wishes of the Liberals, whose influence was beneficent wherever they had an opportunity of making it felt. It was implicitly understood that, so long as the authorities allowed even such relative plain speaking in the press as Prince Mirsky permitted, violence should be eschewed. And this unwritten compact was scrupulously observed. True, several obnoxious persons, includ-

ing General Trepoff and the Grand-Duke Sergius, had been "condemned to death" by the revolutionary committee and the sentence published in various leaflets at home and abroad; but, so long as Mirsky was Minister, no one on the proscribed list was actually executed. And had the advantage of this truce to the Autocracy as well as to the Autocrat been estimated at its real worth, it is probable that there would never have been a "Vladimir's Day." That "first blood" inaugurated a period of white and red terror, some future phases of which may "stagger humanity."

Police, gendarmes, detectives and spies were unavailing to save the Grand-Duke, who, perhaps because he anticipated their powerlessness, took the wise precaution of driving and walking without his consort. He knew he was doomed to die by violence. He had been for years the embodiment of the vital principle of the Autocracy. Therefore he was first on the list of the proscribed. He had misruled Moscow with a rod of iron; he had persecuted the Jews with a degree of hatred akin to mania. Nothing that he said or did seemed inspired by ethical motives or shaped by considerations of justice. He despised soft-heartedness, ignored scruples and went straight to the goal regardless of consequences.

One of his last acts was to give currency to the calumny that Japanese gold had bribed the Russian people to cease work, hamper the Government and cooperate with the public enemy. His adjutant, Djunkoffsky, took the telegram containing that base falsehood to a newspaper office in Moscow, strove hard to have it accepted and finally caused it to be circulated in St. Petersburg. When at last the Tsar's uncle was called to his last account, the manner in which the tidings of his death were received was fraught with evil omens for the future.

Now, for the first time in Russian history, the Autocracy is wholly dependent upon the troops and the police: henceforth, the dynasty is, so to say, seated on the points of bayonets. The guarantee of personal security offered by the complicated system of spying and lying, denouncing and imprisoning, without trial or indictment, is absurdly slight in a country where public opinion is on the side of the revolutionists. I remember when the Minister of the Interior, Sipyaghin, was killed a few years ago, his successor, Plehve, assured a correspondent of the "*Matin*" that the inefficiency of the police was to blame. He set to work to reorganize the service, and, after having spent vast sums on the

enlistment of the most able human bloodhounds in the country, he declared that the Russian police was efficient. Curiously enough, however, he refused to confide his own personal safety to their watchfulness. He chose a special body of picked men to watch over him, smilingly told a British correspondent that his life was absolutely secure, and was blown to pieces a few weeks later. Then Prince Mestchersky laid the blame of Plehve's death on the lack of cooperation between the public and the secret police, and steps were taken to remedy this blemish in "a system possessed of all the materials out of which a model service might so easily be evolved." In spite of these eleventh-hour improvements, the Grand-Duke Sergius was put to death in the broad daylight, and the press organs of the bureaucracy asked: How is it that the revolutionists have at their disposal a police far more vigilant and enterprising than that of the Government?

But the Russian police is much more enterprising than these critics imagine; its ingenious activity is making deep furrows in the contemporary history of the Tsardom. Turn whithersoever you will, you find traces of the fell work of the police: in the Tatar city of Kazan, in the Armenian trade-mart Batoum, in the petroleum district of Baku, in the Georgian towns of Kutais and Poti, in German Riga, in Russian Moscow, in Crimean Simferopol, violence, arson, bloodshed mark the steps of the lay Jesuits of the Autocracy, who hold that the end sanctifies the means.

Their plan of campaign is genial, simple, criminal. It starts from the proposition that, Russia being a mosaic of heterogeneous races, of irreconcilable churches, rival classes and conflicting interests, if you can once pit these against each other, and induce a process of copious bloodletting, the wild beast in human nature will do the rest. And experience has borne out the contention. Afterwards, when the parties are sufficiently exhausted, the Government appears as a *deus ex machinâ* to compose their quarrels and establish peace. In this way, the Liberal or Revolutionary current will have been diverted into another channel, and an arduous problem well solved. The methods of the police vary not only according to the locality, but also according to the act of the drama which happens to be played at a given moment. Unvarying characteristics of all these sanguinary encounters are the preliminary preparations, the rumors about what is coming,

the optimism of the authorities and then their total "unpreparedness."

The massacre of the Jews in Kishineff is an example still fresh in memory. The anti-Semitic riots in Moghileff, although less widely known, are equally typical. Exactly one week in advance, the Police Prefect, Rodionoff, remarked to an acquaintance named Visslitsky: "The mobilization begins in a few days, and then, from Tsukermann's Synagogue down to the railway station, the Jews will be thrashed until not a stone remains on the pavement. And, mind you, the police won't hinder it." And Rodionoff proved a true prophet. When the roughs and blackguards, banded together for arson, bestial violence and murder, were starting on their errand, they shouted: "We may beat the Jews and loot their shops. There is nothing to pay. The police allow it. Hurrah!" And the Imperial forces, which were paid to keep order, looked on encouragingly while ruffians were maiming or killing the Jews. Nay, in many cases they took a hand in splitting a skull or hacking a limb. Some of the prominent victims ran for help to the Governor, who refused to receive them, and to the Prefect, who gleefully told them the three reasons which justified the phlebotomy. Rodionoff is still the Police Prefect of Moghileff, and the Governor has received a decoration. "Well done, thou good and faithful servant," the Autocrat seems to say; and, when the loyalty and respect once felt towards him by the nation have vanished, he is astonished. "The strikes are subsiding, the reform Commissions are sitting and everything is quiet again. What then can these assassins want?"—the Tsar is reported to have exclaimed after the violent death of his uncle, a veritable Nimrod in the matter of Jew-hunting. What indeed?

The diabolical scenes enacted in the streets of Baku, Batoum, Poti, and other cities and towns of the Caucasus, will never be reproduced in words. Perhaps it is better so, for they tend to shake one's faith in the human race. Anyhow, the Government has forbidden the press to publish the truth or indeed to make known the essential facts. In merest outline, here is a sketch of what happened. Having been treated by the Governor-General, Prince Galitzin, literally like a conquered territory, the Caucasus offered passive resistance. He shut the schools by scores: the schoolmasters taught in secret, leaving out inculcations of loyalty to the Government. He despoiled the Armenian Church of its

property; the revolutionary society levied yearly subsidies from the wealthy citizens who supported the Government. Galitzin denied justice to the masses: the revolutionary Committee of the Droshakists organized ambulatory tribunals, which administered rough justice swiftly and impartially. In a word, the Caucasus was driven under the sway of two revolutionary organizations, that of the Armenian Droshakists and that of the Georgian Sakartvellists. The former Committee possessed a revenue of $193,-399 in 1903 and of $245,911 in 1904. Prince Galitzin, who built a series of underground passages beneath the Governor-General's Palace, drove out in a protected carriage and wore a coat of chain armor, was wounded in the head by a revolutionist and barely escaped with his life.

The situation having become thus desperate, a heroic remedy was called for. The police bethought themselves of their "*divide et impera*" scheme, and endeavored to set Georgians and Armenians by the ears. But to no purpose. Then the police agents tried their luck with the Tatars, who had theretofore lived in amity with the Armenians. What cannot be gainsaid and has been solemnly affirmed by Tatars and Armenians alike is that no social-economic grounds for a quarrel existed. Religious fanaticism played just as little part in the outbreak, for neither the Armenian nor the Russian Mussulman ever bestirs himself to refute an error or gain a convert. Finally, racial hatred is as foreign to the Tatar as it is to the son of Haik. On the contrary, they always lived together in harmony.

The truth is, that the newspaper organs of the Government and the secret agents of the police, the former openly, the latter clandestinely, egged on the Mohammedan rabble to assail the Armenians, whereby "the problem was solved." An unethical procedure? Possibly, but at least it was thorough.

The editor of the "Baku News" asserts that, before the ghastly deeds of blood were perpetrated, preparations for them had begun "concerning which reports were circulating in our office *nearly one month in advance, in fact immediately after the tragic events of the 22d January.*"

The agents who made these arrangements are known; and, if justice prevailed in Russia, responsibility for the appalling crime would be brought home to the police; but, as things now are, neither the sickening episodes nor the guilty authors of the "out-

burst" will ever become known to the general public. "Here," writes the "Baku News," "we must refrain from indicating the immediate originators of all the revolting crimes which were perpetrated before our eyes in Baku."

It is significant that "there were many instances of fellows who came to kill but went away peaceably, having received ransom." Therefore it was not personal, racial or religious hatred, but artificial instigation, which goaded on the murderers. Equally symptomatic is the circumstance that, after the butchery had begun, trains were made up in Bala Khany, one of the suburbs of Baku, were filled in presence of the police exclusively with armed Tatars, whose avowed object was to slay as many Armenians as they could, and were despatched to Baku, where these reinforcements joined their bloodthirsty fellows. And all this in the sight of the Tsar's officials! "*Qui facit per alium facit per se.*" Five hundred slain are on the books of the police, and in Russia it is not an easy matter for a man who has been killed in this way to get his name upon the official registers.

The loss of these lives, the destruction of property and the demoralization of so many normal human beings over and above, seem an exorbitant price to pay for the maintenance of the Autocracy. Yet that is but the merest fraction of the cost: for Baku is only one city of the Caucasus, and February was but the second month of the period of bloodletting. In Kazan, the riots which soon afterwards took place against the students and Liberals, with less serious results, had been organized in like manner. The police looked on and made no arrests. Two persons indeed were taken into custody, only two; and they had to be released immediately afterwards on the demand of the head of the Imperial Safety Committee, *who stated that they were his own secret agents.* Imperial agents sacking and burning houses and maiming the bodies of the Tsar's subjects, lest his Majesty should be compelled to part with one or other of his prerogatives, and grant freedom of conscience or liberty of the press! Later still, in the very first days of March, secret detectives and also agents of the police, hired for that special purpose, in Riga, Feodosia, Simferopol, Rostoff on the Don and other cities, scattered printed proclamations broadcast, calling on the people to rise up *en masse* against Jews, students and Armenians.

And now the struggle will continue on the same cruel lines:

coercion from above, tyrannicide from below, with occasional saturnalia *à la* Baku as of pandemonium let loose. Already the authorities have suppressed every "objectionable" institution and silenced every obnoxious individual. The universities, high schools, technical institutions are closed throughout Russia; students and professors are out on strike; the railways are paralyzed; mills and factories working only at irregular intervals. While Imperial Commissions are discussing how small a degree of improvement may be termed a reform, the authorities are intensifying the very abuses which the reforms were meant to lessen and stultifying themselves by pulling in different directions. Thus General Trepoff keeps a number of working-men in prison, while Senator Shidloffsky, as chairman of the Labor Commission, is clamoring for their release. Maxim Gorky is compelled to sign a document and lodge 10,000 rubles security that he will not quit St. Petersburg until his trial, yet General Trepoff forces him the same day to leave the capital and live in Riga. And those instances are typical of many. At the very moment that an Imperial Commission is concerting measures to curtail administrative caprice and establish the reign of law the Minister of the Interior has suspended all law in all the provinces of Poland, in vast districts of the Caucasus, in Batoum and Kutais and various other parts of the Empire, and the Tsar himself, in his unctuous Manifesto of the 3d March, stigmatizes the legitimate demands of his people as "sedition and revolt," while his own Commissioners are busy striving to realize them.

Most of the elements of the population are mobilized and enlisted in one of the two camps. Most, but not all. The intelligent classes have spoken in no uncertain tones. The working-men and the various nationalities have followed suit. "Put an end to Autocracy" is the burden of their demands. One section of the population, however—and only one—has as yet made no sign. The peasantry who constitute three-fourths of the Russian people are still sluggish and inarticulate. Even the secret police agents have hardly yet dared to arouse them against the have-alls, lest they turn their fury against the be-alls as well. But there is no guarantee that that consummation will not also come. Possibly in spring the peasantry, who care little for politics and crave only for more land, will raise their voices and swing their arms. *Absit omen.*

PARIS, *March, 1905.*

THE history of the fall of the Combes Cabinet and of the formation of its successor by M. Rouvier is too representative of our parliamentary system not to deserve special attention. There is always something unexpected, and almost treacherous, in the abandonment of a French Cabinet by its majority. The unhappy end hardly ever follows a policy that had to be tried and eventually is found wanting, but comes after some event the suddenness of which causes a panic, rouses slumbering ambitions, and steels cowardice to act with something like deliberateness.

This remark proved more particularly true in the case of M. Combes. The Ex-Premier's anticlericalism was certainly not unpopular in the country, and was distinctly popular in the Chamber. He might have gone on for many months, or even years, turning nuns out of their convents without eliciting any dangerous protest; and the one cause of his fall was the unexpected exposure of the system of delation, and the collusion of some apparently conflicting interests. The men who ruined him were an active member of the Opposition, M. Guyot de Villeneuve, and two members of the majority, M. Doumer and M. Clemenceau. The sequence of the facts bringing about his resignation is very clear. Thanks to the treason of the Free Masons' secretary, M. Guyot de Villeneuve, an old officer and a Nationalist was placed in possession of eight thousand documents proving that promotion in the army was under the control of the Free Masons. When this gentleman first stated the fact in the Chamber, M. Combes denied it, but it was only to admit it a few days afterwards, and, whilst declaring that the use of those documents could be shown to be quite permissible, to eject General André from the Cabinet for having used them. This contradictory action could not but cause uncertainty in the majority, and the vote for the Government fell alarmingly.

A deputy is responsible for his votes to a committee selected from his constituents, and also—under the system I described in my last letter—to the president of the group he belongs to. By negotiating with the committee and with the president of the group, a Premier, even in a dangerous pass, can indirectly bring powerful influence to bear on the deputy whose loyalty he suspects. M. Clemenceau has long been as famous for his terrible outspokenness as for his hatred of anything clerical. Find-

ing himself shadowed by a police anxious to know what politicians he visited or received, and hearing of various cases of pressure through the committees, he wrote in the "*Aurore*" two violent articles from which M. Combes never recovered.

About the same time, M. Guyot de Villeneuve and M. Doumer, whether by agreement or not, gave the Premier the last blow. M. Doumer had been for six or seven months the sworn foe of the Government, and whatever success he obtained was a defeat for his opponent. At the beginning of the present session, a chance was offered him to trip up M. Combes for good and all, but with a risk of breaking his own neck. The Presidency of the Chamber is a much-coveted dignity, implying moral as well as political influence, the use of an excellent residence, and a stipend of a hundred thousand francs a year. The Government candidate was M. Brisson, an old Radical, narrow in his notions but of unblemished character, and enjoying universal esteem in Parliament. Setting himself up against M. Brisson, M. Doumer clearly gave the Chamber their choice between M. Combes and himself. The odds against him were the popularity and antecedent success of M. Brisson, and the apathy of a large section of the majority. Yet this apathy happened in this particular section to be something different from the cowardice natural to most deputies elected under our system, as the ballot for the Presidency is the only one in the whole year that is secret and leaves the deputy to his own conscience. The first sitting of the session, therefore, is one in which suppressed grievances and discontent can be vented without any risk of retaliation. Now, M. Combes had, according to Clemenceau, exceeded the limits of his lawful influence, and many resented it. The consequence was a majority in favor of M. Doumer. What could the Premier do but accept a motion of confidence in his general policy, a hostile vote on which would mean his resignation? Here came in, once more, M. Guyot de Villeneuve with another explosive. Just before the vote, this gentleman produced a document likely to renew the commotion which his first revelations had caused. This was a letter from General Peigné, an officer in the highest command, informing the secretary of the Free Masons in a cynical tone that he had ordered the transfer of a reactionary officer from one of his regiments to a small hard-worked garrison on the German frontier. When one remembers that France is a country still most attentive

to military affairs, and that a general is a very great personage indeed, one cannot be surprised that such deference on the part of a commander to a clerk in the *rue Cadet* should appear astounding. At all events, it roused the deputies to anger. The Chamber turned against the Government and M. Combes retired.

We have at present to consider a curious parliamentary phenomenon apparent in the composition of the new Cabinet. The process of the formation of a new government is as follows: The President of the Republic first takes the advice of the presidents of the Senate and Chamber. Acting on their recommendations, he summons some influential member of either house and entrusts to him the task of drawing up a list of Ministers. Of course, the task is not easy, as—in spite of the greed for notoriety which is developed on such occasions—possible Ministers only accept office if the Cabinet appears of sufficient homogeneousness to have some chance of duration. In January, this task was entrusted to M. Rouvier, the Minister of Finance in the outgoing Government. Now, the meaning of this choice was clear. M. Rouvier, in the Combes Cabinet, represented the moderate element, and was known to have condemned more than once the violent policy followed by his Premier. He is, above all, a financier. The opinion of M. Rouvier was that the agitation caused in the country by the anticlerical campaign, and the distrust, among the richer classes, of measures championed by the Socialists, precluded every effort towards financial improvement. Now, if you cast a glance at the new Cabinet, you will see in it only three Ministers of the same political views as the Premier, viz., MM. Delcassé, Chaumié and Etienne, whereas the remaining ten can all be labelled as Radical-Socialists. What may have induced M. Rouvier to select men with whose views he may incessantly find himself at variance? The key to this riddle is to be found in the "Group System," without a knowledge of which French politics is simply unintelligible. Let me remind the reader that the majority is divided into six sections comprising from forty to eighty members, and working individually as miniature parliaments with presidents, secretaries, and private debates on all the more important questions. When a decision has been come to in the group, all divisions in the Chamber being public, a member seldom ventures to secede from his friends. Thus by consulting the presidents of groups, a Premier is enabled to calculate almost

mathematically the majority he can rely upon. The consequence is that no Prime Minister can dream of governing without the concurrence of enough presidents of groups to secure a majority; and he cannot expect to obtain their concurrence if he does not take their wishes into account when selecting his colleagues. Conflicting personal ambitions, jealousies between one group and another, and also between the Senate and Chamber, render the task very arduous, and few Premier-Designates have brought it so quickly to a happy conclusion as M. Rouvier. The Ministers are able men. True, the Minister of War, M. Berteaux, is a stock-broker, and the Minister of Marine, M. Thomson, boasts no other naval experience than what he can get when crossing over from his home in Algeria to Marseilles; but we have seen at least two Ministers of War—MM. de Fréycinet and Cavaignac —who were civilians and did exceptionally well; and, if M. Pelletan got into trouble, it was only because he systematically excluded admirals from his councils. At any rate, the Minister of Finance is a banker, and the Secretary for Fine Arts a painter. M. Rouvier has appointed two very young, but very distinguished, collaborators, MM. Ruau and Clémentel, who, in spite of their advanced opinions, are universally esteemed, and he has left in office M. Delcassé, whose continued presence there is a guarantee of wisdom in our foreign politics.

Here we are, then, with a Cabinet headed by a moderate Republican, but consisting mostly of active and intelligent Radicals. What is to be expected of the combination? If the Premier were another man than M. Rouvier, the answer would be plain: the policy of the new Government should be advanced, or the Cabinet would be sure to go to pieces in a few weeks. With such an old campaigner the probabilities are different. M. Rouvier has been engaged in finance all his life, and in politics for over thirty years, and he is a Southerner. The consequence is that he views his *rôle* in quite a different light from M. Combes. The latter has preserved a theological habit—the fruit of his clerical education—of taking things absolutely, and his amazement at his failure bespoke the man with whom contingencies are non-existent. With M. Rouvier, on the contrary, politics is a matter of probabilities and possibilities. It is the natural view of a man who was brought up to business, has managed the national fortunes for thirty years, and thinks above all of utility.

It is no slander to remind the reader that he was involved in the Panama scandal; but, even in that untoward episode, he could hardly be accused of dishonesty. Personally, M. Rouvier, although a native of Marseilles, is straightforward and outspoken. In his politics, he is nothing if not shrewd, and he will go mostly by the politician's principle that living is a great thing. This may seem a very short-sighted view and an exceedingly vague programme, but the Parliaments and Cabinets in which M. Rouvier was schooled between 1875 and 1890 hardly knew any other, and in the present situation no training could serve him better. He must remember that liberty of association was under discussion for twenty-five years, and that until it was sanctioned in 1901 by the famous Waldeck-Rousseau Act, it furnished matter for numberless debates and countless Bills, the protracted examination of which helped Cabinets to last out their ten or eleven months of life. Struggling on was the great object, and the more vexed the questions, the greater the chance of seeing no end to them. It is on the exceptional difficulty of the Bills passed on to him by M. Combes that M. Rouvier relies for ability to live on in spite of the motley appearance of his Cabinet. That is why he was not afraid, on first appearing before the Chamber, to state his firm intention of passing the three Bills on Disestablishment, Income Taxation, and Old Age Pensions. M. Rouvier knows very well that the pros and cons of Income Taxation may be forgotten and resumed a score of times before anything like a definite decision is arrived at on the subject. He has gratified the Radicals in office and their friends in Parliament by placing the separation of Church and State at the top of his list—and the examination of the Bill in committee has been proceeding for several weeks with feverish activity.

Certainly it appeared from M. Rouvier's speech on Income Taxation that he wanted to frighten at the end the same people he had striven to reassure at the beginning, and some critics came to the conclusion that in his heart he was no more won over to Income Taxation than he used to be, and preferred to have it talked about rather than actually carried. It is also rumored that his scheme for Old Age Pensions involves the establishment of a new monopoly, which would be no less than the monopoly of Insurance. Now, it should be known that the four great American Insurance Companies have been allowed to work in France

only on condition of having their securities deposited in three per cent. stock. The announcement of a monopoly would evidently be followed by the immediate withdrawal of this deposit, amounting to a hundred million dollars. As the Treasury cannot afford to take this loss lightly, it is quite possible that the Premier has only inserted this clause to impress people with a sense of the difficulty of raising the necessary fund. Clearly, M. Rouvier's great object is to keep the Chamber busy with these almost impossible Bills till the happy time dawns for him during which Governments never fall. It is only a matter of a few months. The session ends in July, and Parliament meets again late in October. If M. Rouvier's plan answers till the new year, we shall be within four months of the General Election, and when this critical period draws near, the Chamber grows amazingly tame, the Ministers sit at ease.

Public opinion has undergone some change with respect to Russian affairs. At the beginning of the war, the fifth Russian Loan had been welcomed, like its predecessors, with enthusiasm, and everybody, excepting a few officers who had followed manœuvres in Russia or inspected Russian men-of-war, felt sure that the Japanese were no match for their gigantic opponents. The natural sympathy for the weaker side was dampened by the dread of what has already been thought of, for many years, as the Yellow Peril. Popular imagination is ready to picture a fearful coalition of all Eastern Asia, as if it were a thing of to-morrow. Politicians entertain a more definite, and doubtless a better founded, anxiety. Before the publication in the "*Echo de Paris*" of the plan—spurious or genuine—for a Japanese inroad into Indo-China, M. Doumer, who has just returned from the latter colony, which he governed for five years, had published a book the conclusion of which was an earnest entreaty that we should be on our guard against the newcomers into civilization. They were arrogant, greedy and unscrupulous, like all upstarts. M. Doumer added with prophetic insight—for he quoted from a report of his written before the commencement of the war—that we had long ceased to be in a position to enter on a naval struggle with Japan in her own seas; in fact, that she had nothing to fear from any European Power. So the French press greeted with loud approval the announcement of a military plan, similar to that of Kitchener in South Africa, and likely to grind the Japanese

army into atoms. The few discordant sounds came from Radical or Socialist journalists, who did not take the trouble to conceal their amusement at the first Russian blunders at sea and defeats on land. These disasters were carefully dressed up as ordinary casualties by nearly all the other papers. It is well known that, before the hostilities began, the seventy stock-brokers on the Paris Bourse had come to an agreement to keep up Russian bonds—an engagement which they even now hold to with praiseworthy pluck—and such an agreement was, of course, sure to strengthen these silent propensities in the press. The "*Echo de Paris,*" the chief organ of the Nationalists, has an excellent correspondent at St. Petersburg, whose letters for the last few weeks have been by far the fairest and fullest we could read, but the editor gladly consented to curtail them so as to rob them of all their interest.

Only the capture of Port Arthur and the massacres at St. Petersburg induced the Parisian press to give up their manipulating of despatches after the methods of the Russian *cabinet noir.* They had so often predicted that Port Arthur would not be taken, that they felt they could only be believed in the future if they began to tell the truth. Besides, it is a lamentable law of human nature that the continuance of misery exhausts compassion. And it must be seen also that the massacres were only too likely to divert public sympathy. France is certainly not the home of liberalism; but it is certain that for fifty years after the Revolution Paris was the fountain-head of all liberal tendencies. Apart from the very few Frenchmen who still preserve a conviction that anything democratic is essentially bad, nobody was found to maintain that a state of affairs consistent with such a contempt of the right of petition and such a misadministration of police ought to be tolerated. What the Socialist papers proclaim every day, nearly the whole country admits in a whisper, viz., that our friendship with Russia is only skin-deep and would never have been popular if a sense of security after many years' anxiety and isolation were not sure to be popular. I need not resume the history of our relations with Russia, but every Frenchman old enough to remember a time when the alliance was not even spoken of will remember at the same time that the national feeling towards Russians was not in the least friendly. Fresher than the memory of Sebastopol was the recollection of

the treatment of Poland, which had awakened an indignation difficult to quell in a moment. The Russian was an oppressor when he was not an extravagant profligate. He might copy French civilization and perform the comedy of French politeness with the perfection of a consummate actor, he was still a barbarian at heart; he might push Liberalism to the extremity of Nihilism, he never came to a right sense of his own or his neighbor's liberty. Popular language even now does not distinguish a Russian from a lout, and a clownish fellow is called indifferently a "*gros Russe*" or a "*gros rustre*" ("a great Russian" or "a great clodhopper"). It was only when the visits of the Tsar and of Admiral Avellane had heated the nascent sympathy to a degree of enthusiasm that the habit was dropped in the French army of calling a blundering soldier a "Cossack." Even this enthusiasm did not blind us to the darker side of the Tsar's immense power. In the book which did more than anything else to awaken real sympathy for Holy Russia—I mean M. de Vogüé's admirably written study on "The Russian Novel"—the sympathy was with the national qualities of the poor Russian, with the forbearance and trustfulness of the *moujik* and his Christian fatalism. On every page, the constantly recurring word, "Siberia," appeared as a gloomy background to pictures which the writer did not like to dwell on, but which weighed upon his mind. It is those pictures, rendered familiar by the popular literature of thirty years ago, that the bloody scenes at St. Petersburg called up with awful reality. From that terrible Sunday the policy of silence was given up, and a policy of sincerity was adopted by the Parisian press, and we now read reliable accounts of what takes place in Manchuria and Poland. The decision of the International Conference on the Hull incident has influenced public opinion in the same direction. A week before the verdict, it was rumored that the report absolved Admiral Rosjestvensky altogether; on its publication, it was seen that the concluding paragraph just accorded him extenuating circumstances. So the impression left by the latest events is that neither at home, nor on land, nor at sea, have our allies fulfilled the expectations we had formed of them. This is neither the place nor the moment to consider changes in French foreign politics likely to follow from a truer view of the real state of Russia; but that such changes are possible is evident to all.

WASHINGTON, *March, 1905.*

THE most noteworthy incidents from the view-point of world-politics that have occurred at Washington during the current month have been the inauguration of President Roosevelt for the term ending March 4th, 1909, and the failure of the Senate to ratify the Santo Domingo Treaty. The beginning of a Presidential quadrennium is always a date of some importance in American history, even when it does not indicate the transfer of power from one political party to another. The spectacle presented on Saturday, March 4th, was especially interesting on more grounds than one. Mr. Roosevelt is not, of course, the first Vice-President to be subsequently chosen President, for a similar honor had been attained by John Adams, Jefferson and Van Buren. It would have been attained, doubtless, by Vice-President John C. Calhoun had he not quarrelled with Andrew Jackson. What was unique about Mr. Roosevelt's inauguration was the fact that he should have been elected to the Chief-Magistracy while occupying by accident the post of President. That is a distinction which John Tyler, Millard Fillmore, Andrew Johnson and Chester A. Arthur would gladly have secured, but which each of them missed. Not one of them, except Fillmore, could even, while a tenant of the White House or afterward, compass a nomination at the hands of any political party. Their failure has been accounted for, sometimes on the assumption that the acquirement of the Presidency by accident is apt to provoke popular resentment, and sometimes on the ground that the beneficiary of calamity had never been able to resist the temptation to change the policies and supersede the appointees of his predecessor. The nomination and election of Mr. Roosevelt to the Presidency in 1904 is often attributed to the wariness with which he avoided alienating Mr. McKinley's friends. He displaced none of these from office, and he refrained from opposing any measure of which Mr. McKinley was known to have expressed approval. Undoubtedly, by such circumspection, he allayed distrust, reassured the uneasy and deferred the hatching of hostile intrigues within the party organization, until their successful prosecution became impracticable. It is also true that chance favored Mr. Roosevelt. Had Senator Hanna lived, or had he died a year earlier, it is quite conceivable that the opposition to Mr. Roosevelt's nomination, which, unquestionably, existed in a latent or sporadic way, might have gath-

ered head and become formidable. The immense majority, however, not only of the Presidential electors, but also of the popular vote, which Mr. Roosevelt obtained demonstrates that the principal cause of a success unparalleled in the case of any other President by accident, was his personal superiority to any of the four other men whose elevation to the White House had been due to the death of the preceding tenant. In respect of intellectual equipment and intellectual vigor, Mr. Roosevelt stands upon a higher plane than that occupied by Tyler, Fillmore, Johnson or Arthur. From the view-point, indeed, of character and temperament, or of many-sided experience and accomplishments, and as regards the breadth and contagious fervor of his sympathies, he was qualified to be one of the most popular candidates for the Presidency that we ever had. The votes cast last November showed that his individuality was pleasing to the rank and file of both parties, and several incidents that occurred during the recent session of Congress bore witness to his possession of a hold on Democrats as well as Republicans, so far as the House of Representatives was concerned. It was, therefore, not only as the standard-bearer of a party, but as the favorite of the nation, that Theodore Roosevelt was borne in triumph to his inauguration on Capitol Hill. It was recognized, also, as peculiarly fitting that, as one who had not only advocated, but risked his life for, the liberation of Cuba, and who, as Assistant Secretary of the Navy in 1897, had done his utmost to equip his country with the sea-power indispensable for victory over Spain, he should be accompanied in his procession by representatives of Porto Rico and the Philippines, the outward and visible signs of the republic's efflorescence into a colonial empire.

It will be recalled that when a Roman Imperator returned from the scene of his achievements, and ascended the *Via Sacra* in his triumphal car, it was customary for a slave to be stationed behind his shoulder for the purpose of whispering the warning, "Remember that thou, too, art mortal." It might have been no less apt and timely, if, as Mr. Roosevelt rode to the Capitol, amid such an outburst of enthusiasm as Washington has seldom witnessed since the close of the Civil War, some one had reminded him *sotto voce* that the Conscript Fathers are not easily swept off their feet by the uproar of the Forum, and that he had yet to reckon with the Senate. In the course of our national history

under the Constitution, the Senate has humbled many a President, and never, except by Jackson, and by the immediate inheritors of Jacksonian traditions, has that body been forced to kneel at the feet of an Executive. There came a day, indeed, when shamefaced Senators saw themselves constrained to expunge from their journal the record of the vote of censure with which they had sought to brand Andrew Jackson, but against that hour of debasement may be set many a period of defiance and ascendancy, from their rejection of the treaty which embodied the annexation of Texas until they came within a hair's-breadth of ejecting with contumely a lawful tenant from the White House. Since by only one vote Andrew Johnson escaped conviction of high crimes and misdemeanors, our Chief Magistrates have been wont to look upon a contest with the Senate as unhealthy, yet it is only fair to say that, if Johnson could have had at his back the House of Representatives, as Jackson had, and as Roosevelt seems likely to have, he would have escaped even impeachment, though he might have been subjected to considerable annoyance by the Upper House of the Federal Legislature. Experience, indeed, has shown that, if a President has behind him the people and the people's spokesmen in the lower branch of Congress, he can start a tide of public opinion not easily resisted; while, in the mean time, he can put recalcitrant Senators in the wrong, by an adroit and popular employment of his initiative, and gradually build up among them a party of his own by the use of patronage and the veto power.

We know that Andrew Jackson did not hesitate to pick up the gauntlet which the Senate flung at him, and the question pressed upon onlookers during the recent session of Congress and since the inauguration has been, Will Theodore Roosevelt evince equal promptitude in the acceptance of the challenge which he undoubtedly has received from the Senate? To all appearances, the President has the people with him, and he certainly had the zealous support of the House of Representatives in the Fifty-eighth Congress. There is as yet no reason to doubt that he will prove equally strong in the next House, which must have been materially affected by the tidal wave that gave Mr. Roosevelt his phenomenal majority. On the other hand, it is certain that the Senate has for months evinced a frigid lack of sympathy with the President's plans, and maintained an obstructionist attitude.

Of upwards of a score of measures known to be dear to Mr. Roosevelt's heart, only two have found places on the statute-book. The President holds that, not only generosity, but justice, enjoins upon us to grant the same privilege to the Filipinos that we have accorded to the Porto-Ricans, the privilege of free admission for all their products to our markets. To his appeals upon this subject the Senate has turned a deaf ear. Evidently, the Senators care more about the interests of our domestic growers of sugar and tobacco than they do about the welfare of the Philippines. For upwards of a quarter of a century our State Department has striven to bring about close commercial relations between the United States and the autonomous British colony of Newfoundland. Such relations would have been established by the reciprocity treaty which Mr. Hay submitted to the Senate, but that body straightway proceeded to load the document with amendments calculated to prove highly objectionable to the insular Administration. Not only did our State Department participate in The Hague Conference, and become a signatory to The Hague Convention, but it has since been at pains to rescue The Hague tribunal from neglect, by requesting it to determine the disposition of the Mexican Pious Fund, and by bringing about a reference to it of the claims against Venezuela. By these proceedings, our Federal Government had become, in the eyes of Europe, the foremost champion of the principle of arbitration, and Mr. Roosevelt had essayed to vindicate our right to that distinction by negotiating with European nations no fewer than seven treaties, whereby it was agreed that controversies falling under certain categories carefully defined should, by special agreement between the parties, be submitted to arbitrators. All of these treaties, which constituted, in Mr. Roosevelt's eyes, the most precious outcome of his foreign policy, and his best title to honor abroad, the Senate practically killed, by erasing the words "special agreement" and thus compelling the submission of every controversy to arbitration to be authorized by a separate treaty.

Nor was it only in the field of foreign affairs that the Senate has seen fit systematically to snub the President. If any measure relating to our internal administration has had Mr. Roosevelt's earnest endorsement and the almost unanimous approval of the popular branch of Congress, it is the Esch-Townsend bill, which proposed to redress certain grievances, of which producers and

distributors complain, by permitting under certain conditions the Interstate Commerce Commission, and on appeal a new commercial court, to fix the railway rates for transportation. Nevertheless, the Senate, although its Committee on Interstate Commerce had previously declared that any further investigation of the subject would be superfluous, tossed the Esch-Townsend bill into the waste-basket, and announced that it would authorize some of its members to institute at their leisure during the summer an examination of the question, What measures, if any, for the supervision and modification of railway rates would be expedient? That is to say, the Senate virtually claims for itself the possession of all the wisdom, justice and equity of the Commonwealth, and practically denies that the people at large or their direct spokesmen in the House of Representatives, or the President, who is clothed with a fresh mandate from the voters, are qualified to propound, concerning an urgent economical problem, a solution that merits even the poor compliment of immediate attention.

The Senate's rebuffs to the President were not destined to end with the close of the Fifty-eighth Congress. To the special session of that body which followed the inauguration Mr. Roosevelt submitted the Santo Domingo Treaty, a document obviously fraught with an international importance out of all proportion to the financial exigencies of the Dominican Republic, with which, ostensibly, it was concerned. There is not a great European capital in which the prospective significance of that treaty was not quickly and fully recognized, and we add that there is not one in which the ratification of the compact by the Senate was not taken for granted. From the hour when our Federal Government remained a passive but reluctant spectator of the blockade of Venezuelan seaports by the allied fleets of three European Powers, it was foreseen on every European Bourse that the United States could only avert the ultimate reduction of a delinquent American republic to the fate of Egypt by an interposition between creditor and debtor for the adjustment of obligations and the apportionment of revenue for liquidation. That was perceived to be the only solution to the grave problem mooted by the Venezuelan affair, the only solution reconcilable with the Monroe Doctrine. So clear, so logical, so inevitable seemed to foreign observers the deduction known as the "Roosevelt Corollary" from the position taken by Monroe, that

none of them for a moment doubted its acceptance by the American people and by their spokesmen in both Houses of the Federal Legislature. As a matter of fact, however, the Senate's Committee on Foreign Relations, by cancelling the preamble of the Santo Domingo Treaty, virtually gave notice to the world that it declined to endorse the assertion that the interposition between the Dominican Republic and its foreign creditors was a logical, just and wise application of the Monroe Doctrine. In other words, with all possible distinctness, it gave European governments to understand that the so-called "Roosevelt Corollary" rests upon nothing but a single President's *ipse dixit;* that absolutely nothing has happened to modify our international attitude since the forcible occupation of La Guayra and Puerto Cabello; and that, so far as the Senate is concerned, without whose concurrence any treaty is waste paper, and any formulation of foreign policy but so much wind, European governments are at liberty to enforce with their fleets and armies the payment of debts due from an American commonwealth, so long as they stop short of the permanent occupation of the debtor's territory. They may sequestrate a third of the income of two custom-houses for a definite term, as was done in the case of Venezuela; or, if the debts claimed are large enough, they may confiscate all the income of all the debtor's custom-houses for an indefinite period, and thus deprive the delinquent commonwealth of the whole revenue hitherto relied upon to defray most of the cost of internal administration. It is absurd to pretend that the destiny of an American republic would be in no wise affected by such a wholesale confiscation.

By its drastic amendment of the Santo Domingo Treaty, and by its subsequent refusal to ratify the document, even in an amended form, the Senate, whether intentionally or not, has taken a step which undoubtedly tends to humiliate the President in the eyes of statesmen at home and abroad. Whether that tendency will be overcome, and whether, eventually, the Senate will be forced to assume a less obstructive attitude, depends upon the question whether, in the course of the summer, the legitimacy and expediency of the "Roosevelt Corollary" to the Monroe Doctrine shall commend itself to the good sense and foresight of the American people. If it does, the President will be rehabilitated, and the Senate will be proportionately discredited.

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NEW ENGLAND: AN AUTUMN IMPRESSION.

IN THREE PARTS: PART SECOND.

BY HENRY JAMES.

III.

If the interest then was large, this particular interest of the "social" side of the general scene, more and more likely to emerge, what better proof could I want again than the differences of angle at which it continued to present itself? The differences of angle—as obvious most immediately, for instance, "north of the mountains," and first of all in the valley of the Saco—gathered into their train a hundred happy variations. I kept tight hold of my temporary clue, the plea of the country's amiability, as I have called it, its insinuating appeal from too rigorous a doom; but there was a certain strain in this, from day to day, and relief was apparent as soon as the conditions changed. They changed, notably, by the rapid and complete drop of the sordid element from the picture; it was, for all the world, of a sudden, as if Appearance, precious principle, had again asserted its rights. That confidence, clearly, at North Conway, had come to it in the course of the long years, too many to reckon over, that separated my late from my early vision—though I recognized as disconcerting, toward the close of the autumn day, to have to owe this perception, in part, to the great straddling, bellowing railway, the high,

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heavy, dominant American train that so reverses the relation of the parties concerned, suggesting somehow that the country exists for the "cars," which overhang it like a conquering army, and not the cars for the country. This presence had learned to penetrate the high valleys and had altered, unmistakably, the old felicity of proportion. The old, informal earthy coach-road was a firm highway, wide and white—and ground to dust, for all its firmness, by the whirling motor; without which I might have followed it, back and back a little, into the near, into the far, country of youth —left lying, however, as the case stood, beyond the crest of a hill. Only the high rock-walls of the Ledges, the striking sign of the spot, were there; gray and perpendicular, with their lodged patches of shrublike forest growth, and the immense floor, below them, where the Saco spreads and turns and the elms of the great general meadow stand about like candelabra (with their arms reversed) interspaced on a green table. There hung over these things the insistent hush of a September Sunday morning; nowhere greater than in the tended woods enclosing the admirable country home that I was able to enjoy as a centre for contemplation; woods with their dignity maintained by large and artful clearance of undergrowth, and repaying this attention, as always, by something of the semblance of a sacred grove, a place prepared for high uses, even if for none rarer than high talk. There was a latent poetry—old echoes, ever so faint, that *would* come back; it made a general meaning, lighted the way to the great modern farm, all so contemporary and exemplary, so replete with beauty of beasts and convenience of man, with a positive dilettantism of care, but making one perhaps regret a little the big, dusky, heterogeneous barns, the more Bohemian bucolics, of the earlier time. I went down into the valley—that was an impression to woo by stages; I walked beside one of those great fields of standing Indian corn which make, to the eye, so perfect a note for the rest of the American rural picture, throwing the conditions back as far as our past permits, rather than forward, as so many other things do, into the age to come. The maker of these reflections betook himself at last, in any case, to an expanse of rock by a large bend of the Saco, and lingered there under the infinite charm of the place. The rich, full lapse of the river, the perfect brownness, clear and deep, as of liquid agate, in its wide swirl, the large indifferent ease in its pace and motion, as of some great benevolent institu-

tion smoothly working; all this, with the sense of the deepening autumn about, gave I scarce know what pastoral nobleness to the scene, something raising it out of the reach of even the most restless of analysts. The analyst, in fact, could scarce be restless here; the impression, so strong and so final, persuaded him perfectly to peace. This, on September Sunday mornings, was what American beauty *should* be; it filled to the brim its idea and its measure—albeit Mount Washington, hazily overhung, happened not to contribute to the effect. It was the great, gay river, singing as it went, like some reckless adventurer, good-humored for the hour and with his hands in his pockets, that argued the whole case and carried everything assentingly before it.

Who, for that matter, shall speak, who shall begin to speak, of the alacrity with which, in the New England scene (to confine ourselves for the moment only to that), the eye and the fancy take to the water?—take to it often for relief and security, the corrective it supplies to the danger of the common. The case is rare when it is not better than the other elements of the picture, even if these be at their best; and its strength is in the fact that the common has, for the most part, to stop short at its brink; no water being intrinsically less distinguished—save when it is dirty—than any other. By a fortunate circumstance, moreover, are not the objects usually afloat on American lakes and rivers, to say nothing of bays and sounds, almost always white and wonderful, high-piled, characteristic, fantastic things, begotten of the native conditions and shining in the native light? Let my question, however, not embroider too extravagantly my mere sense of driving presently, though after nightfall, and in the public conveyance, into a village that gave out, through the dusk, something of the sense of a flourishing Swiss village of the tourist season, as one recalls old Alpine associations: the swing of the coach, the cold, high air, the scattered hotels and their lighted windows, the loitering people who might be celebrated climbers or celebrated guides, the resonance of the bridge as one crossed, the gleam of the swift river under the lamps. My village had no happy name; it was, crudely speaking, but Jackson, N. H., just as the swift river that, later on, in the morning light, to the immediate vision, easily surpassed everything else, was only the river of the Wildcat—a superiority strictly comparative. The note of this superiority was in any case already there, for the first,

for the nocturnal impression; scarce seen, only heard as yet, it could still give the gloom a larger lift than any derived from a tour of the piazzas of the hotels. This tour, undertaken while supper was preparing, in the interest of a study of manners, left room, all the same, for much support to the conviction I just expressed, the conviction that, name for name, the stream had got off better than the village, that streams *couldn't,* at the worst, have such cruel names as villages, and that this too, after all, was an intimation of their relative value. This inference was, for the actual case, to be highly confirmed; the Wildcat River, on the autumn morning, in its deep valley and its precipitous bed, was as headlong and romantic as one could desire; though, indeed, I am not, in frankness, prepared to say better things of it than of the great picture, the feature of the place, to a view of which I mounted an hour or two after breakfast.

Here, at least, where a small and charming country-house had seated itself very much as the best box, on the most expensive tier, rakes the prospect for grand opera—here might manners too be happily studied, save perhaps for their being enjoyed at too short range. Here, verily, were verandahs of contemplation, but admitting to such images of furnished peace, within, as could but illustrate a rare personal history. This was a felicity apart; whereas down in the valley, the night before, the story told at the lighted windows of the inns was precisely, was above all, of advantages impartially diffused and shared. That, at any rate, would seem in each instance the most direct message of the life displayed to the observer, on the fresher evenings, in the halls and parlors, the large, clean, bare spaces (almost penally clean and bare), where plain, respectable families seemed to sit and study in silence, with a kind of awe indeed, as from a sense of inevitable doom, their reflected resemblances, from group to group, their baffling identities of type and tone, their inability to escape from participations and communities. My figure of the opera-box, for the other, the removed, case is justified meanwhile by the memory of the happy vision that was to make up to me for having missed Mount Washington at Intervale; the something splendidly scenic in the composition of the "Presidential range," hung in the air, across the valley, with its most eminent object holding exactly the middle of the stage and the grand effect stretching without a break to either wing. Mount Washington, seen from such a point

of vantage, a kind of noble equality of intercourse, looks admirably, solidly *seated,* as with the other Presidential peaks standing at his chair; and the picture is especially sublime far off to the right, with the grand style of Carter's Dome, a masterly piece of drawing against the sky, and the romantic dip of Carter's Notch, the very ideal of the pass (other than Alpine) that announces itself to the winding wayfarer, for beauty and interest, from a distance. The names, "Presidential" and other, minister little to the poetry of association; but that, throughout the American scene, is a source of irritation with which the restless analyst has had, from far back, to count. Charming places, charming objects, languish, all round him, under designations that seem to leave on them the smudge of a great vulgar thumb—which is precisely a part of what the pleading land appears to hint to you when it murmurs, in autumn, its intelligent refrain. If it feels itself better than so many of the phases of its fate, so there are spots where you see it turn up at you, under some familiar tasteless infliction of this order, the plaintive eye of a creature wounded with a poisoned arrow.

You learn, after a little, not to insist on names—that is, not to inquire of them; and are happiest perchance when the answer is made you as it was made me by a neighbor, in a railway train, on the occasion of my greatly admiring, right and left of us, a tortuous brawling river. I had supposed it for a moment, in my innocence, the Connecticut—which it decidedly was not; it was only, as appeared, a stream *quelconque,* a stream without an identity. That was better, somehow, than the adventure of a little later—my learning, too definitely, that another stream, ample, admirable, in every way distinguished, a stream worthy of Ruysdael or Salvator Rosa, was known but as the Farmington River. This I could in no manner put up with—this taking by the greater of the comparatively common little names of the less. Farmington, as I was presently to learn, is a delightful, a model village; but villages, fords, bridges are not the godparents of the element that makes them possible, they are much rather the godchildren. So far as such reflections might be idle, however, in an order so differently determined, they easily lost themselves, on the morrow of Jackson, N. H., in an impression of sharper intensity; that of a drive away, on the top of the coach, in the wondrous, lustrous early morning and in company that positively gave what

it had to give quite as if it had had my curiosity on its conscience. That curiosity held its breath, in truth, for fear of breaking the spell—the spell of the large liberty with which a pair of summer-girls and a summer-youth, from the hotel, took all nature and all society (so far as society was present on the top of the coach) into the confidence of their personal relation. Their personal relation—that of the young man was with the two summer-girls, whose own was all with *him;* any other, with their mother, for instance, who sat speechless and serene beside me, with the other passengers, with the coachman, the guard, the quick-eared four-in-hand, being for the time completely suspended. The freedoms of the young three—who were, by the way, not in their earliest bloom either—were thus bandied in the void of the gorgeous valley without even a consciousness of its shriller, its recording echoes. The whole phenomenon was documentary; it started, for the restless analyst, innumerable questions, amid which he felt himself sink beyond his depth. The immodesty was too colossal to be anything but innocence—yet the innocence, on the other hand, was too colossal to be anything but inane. And they were alive, the slightly stale three: they talked, they laughed, they sang, they shrieked, they romped, they scaled the pinnacle of publicity and perched on it flapping their wings; whereby they were shown in possession of many of the movements of life. Life, however, involved in some degree experience—if only the experience, for instance, of the summer apparently just spent, at a great cost, in the gorgeous valley. How was *that,* how was the perception of any concurrent presence, how was the human or social function at all, compatible with the *degree* of the inanity? There was, as against this, the possibility that the inanity was feigned, if not the immodesty; and the fact that there would have been more immodesty in feigning it than in letting it flow clear. These were maddening mystifications, and the puzzle fortunately dropped with the arrival of the coach at the station.

IV.

Clearly, none the less, there were puzzles and puzzles, and I had almost immediately the amusement of waking up to another—this one of a different order altogether. The point was that if the bewilderments I have just mentioned had dropped, most other things had dropped too: the challenge to curiosity here was in the

extreme simplification of the picture, a simplification on original lines. Not that there was not still much to think of—if only because one had to stare at the very wonder of a picture so simplified. The thing now was to catch this note, to keep it in the ear and see, really, how far and how long it would sound. The simplification, for that immediate vision, was to a broad band of deep and clear blue sea, a blue of the deepest and clearest conceivable, limited in one quarter by its far and sharp horizon of sky, and in the other by its near and sharp horizon of yellow sand overfringed with a low woody shore: the whole seen through the contorted crosspieces of stunted, wind-twisted, far-spreading, quite fantastic old pines and cedars, whose bunched bristles, at the ends of long limbs, produced, against the light, the most vivid of all reminders. Cape Cod, on this showing, was exactly a pendant, pictured Japanese screen or banner; a delightful little triumph of "impressionism," which, during my short visit at least, never departed, under any provocation, from its type. Its type, so easily formulated, so completely filled, was there the last thing at night and the first thing in the morning; there was rest for the mind—for that, certainly, of the restless analyst—in having it so exactly under one's hand. After that one could read into it other meanings without straining or disturbing it. There was a couchant promontory in particular, half bosky with the evergreen boskage of the elegant kakemono, half bare with the bareness of refined, the *most* refined, New England decoration —a low, hospitable headland projected, as by some water-colorist master of the trick, into a mere brave wash of cobalt. It interfered, the sweet promontory, with its generous Boston bungalow, its verandahs still haunted with old summer-times, and so wide that the present could elbow and yet not jostle the past—it interfered no whit, for all its purity of style, with the human, the social question always dogging the steps of the ancient contemplative person and making him, before each scene, wish really to get *into* the picture, to cross, as it were, the threshold of the frame. It never lifts, verily, this obsession of the story-seeker, however often it may flutter its wings, it may bruise its breast, against surfaces either too hard or too blank. "The *manners,* the manners: where and what are they, and what have they to tell?"—that haunting curiosity, essential to the honor of his office, yet making it much of a burden, fairly buzzes about his head the more

pressingly in proportion as the social mystery, the lurking human secret, seems more shy.

Then it is that, as he says to himself, the secret must be most queer—and it might, therefore, well have had, so insidiously sounded, a supreme queerness on Cape Cod. For not the faintest echo of it trembled out of the blankness; there were always the little white houses of the village, there were always the elegant elms, feebler and more feathery here than further inland; but the life of the little community was practically locked up as tight as if it had *all* been a question of painted Japanese silk. And that was doubtless, for the story-seeker, absolutely the little story: the constituted blankness was the whole business, and one's opportunity was all, thereby, for a study of exquisite emptiness. This was stuff, in its own way, of a beautiful quality; that impression came to me with a special sweetness that I have not forgotten. The help in the matter was that I had not forgotten, either, a small pilgrimage or two of far-away earlier years—the sense as of absent things in other summer-times, golden afternoons that referred themselves for their character simply to sandy roads and primitive "farms," crooked inlets of mild sea, and, at the richest, large possibilities of worked cranberry-swamp. I remembered, in fine, Mattapoisett, I remembered Marion, as admirable examples of that frequent New England phenomenon, the case the consummate example of which I was soon again to recognize in Newport—the presence of an *unreasoned* appeal, in nature, to the sense of beauty, the appeal on a basis of items that failed somehow, count and recount them as one would, to justify the effect, to make up the precious sum. The sum, at Newport above all, as I was soon again to see, is the exquisite, the irresistible; but you falter before beginning to name the parts of the explanation, conscious how short the list may appear. Thus everything, in the whole range of imagery, affirms itself and interposes; you will, you inwardly determine, arrive at some notation of manners even if you perish in the attempt. Thus, as I jogged southward, from Boston, in a train that stopped and stopped again, for my fuller enlightenment, and that insisted, the good old promiscuous American car itself, on having as much of its native character as possible for my benefit, I already knew I must fall back on old props of association, some revival of the process of seeing the land grow mild and vague and interchangeably familiar with the sea,

all under the spell of the reported "gulf-stream," those mystic words that breathe a softness wherever they sound.

It was imperative, here, that they should do what they could for me, and they must have been in full operation when, on my arrival at the small station from which I was to drive across to Cotuit—"across the Cape," as who should say, romantic thought, though I strain a point geographically for the romance—I found initiation awaiting me in the form of minimized horse-and-buggy and minimized man. The man was a little boy in tight knickerbockers, the horse barely an animal at all, a mere ambling spirit in shafts on the scale of a hairpin, the buggy disembodied save for its wheels, the whole thing the barest infraction of the road, of the void: circumstances, altogether, that struck the note, the right, the persistent one—that of my baffled endeavor, while in the neighborhood, to catch life in the fact, and of my then having to recognize it as present *without* facts, or with only the few (the little white houses, the feathery elms, the band of ocean-blue, the stripe of sandy yellow, the tufted pines in angular silhouette, the cranberry-swamps stringed across, for the picking, like the ruled pages of ledgers), that fell, incorruptibly silent, into the picture. We were still far from our goal, that first hour, when I had recognized the full pictorial and other "value" of my little boy and his little accessories; had seen, in the amiable waste that we continued to plough till we struck, almost with a shock, the inconsistency of a long stretch of new "stone" road, that, socially, economically, every contributive scrap of this detail was required. I drained my small companion, by gentle pressure, of such side-lights as he could project, consisting almost wholly, as they did, of a prompt and shrill, an oddly emphasized "Yes *sir!*" to each interrogative attempt to break ground. The summer-people had already departed—with, as it seemed to me, undue precipitation; the very hotel offered, in its many-windowed bulk, the semblance of a mere huge brittle sea-shell that children tired of playing with it have cast again upon the beach; the alignments of white cottages were, once more, as if the children had taken, for a change, to building houses of cards and then had deserted *them*. I remember the sense that something *must* be done for penetration, for discovery; I remember an earnest stroll, undertaken for a view of waterside life, which resulted in the perception of a young man, in a spacious

but otherwise unpeopled nook, a clear, straightforward young man to converse with, for a grand opportunity, across the water, waist-high in the quiet tide and prodding the sea-bottom for oysters; also in the discovery of an animated centre of industry of which oysters again were the motive: a mute citizen or two packing them in boxes, on the beach, for the Boston market, the hammer of some vague carpentry hard by, and, filling the air more than anything else, the unabashed discourse of three or four school-children at leisure, visibly "prominent" and apparently in charge of the life of the place. I remember not less a longish walk, and a longer drive, into low extensions of woody, piney, pondy landscape, veined with blue inlets and trimmed, on opportunity, with blond beaches—through all of which I pursued in vain the shy spectre of a revelation. The only revelation seemed really to be that, quite as in New Hampshire, so many people had "left" that the remaining characters, on the sketchy page, were too few to form a word. With this, accordingly, of what, in the bright air, for the charmed visitor, were the softness and sweetness of impression *made?* I had again to take it for a mystery.

V.

This was really, for that matter, but the first phase of a resumed, or rather of a greatly enlarged, acquaintance with the New England village in its most exemplary state: the state of being both sunned and shaded; of exhibiting more fresh white paint than can be found elsewhere in equal areas, and yet of correcting that conscious, that doubtless often somewhat embarrassed, hardness of countenance with an art of its own. The descriptive term is of the simplest, the term that suffices for the whole family when at its best: having spoken of them as "elm-shaded," you have said so much about them that little else remains. It is but a question, throughout, of the quantity, the density, of their shade; often so thick and ample, from May to November, that their function, in the social, in the economic, order would seem on occasion to consist solely of their being passive to that effect. To note the latter, accordingly, to praise it, to respond to its appeal for admiration, practically represents, as you pass beneath the great feathery arches, the only comment that may be addressed to the scene. The charming thing—if that be the best way to take it—is that the scene is everywhere the

same; whereby tribute is always ready and easy, and you are spared all shocks of surprise and saved any extravagance of discrimination. These communities stray so little from the type, that you often ask yourself by what sign or difference you know one from the other. The goodly elms, on either side of the large straight "street," rise from their grassy margin in double, ever and anon in triple, file; the white paint, on wooden walls, amid open dooryards, reaffirms itself eternally behind them—though hanging back, during the best of the season, with a sun-checkered, "amusing" vagueness; while the great verdurous vista, the high canopy of meeting branches, has the air of consciously playing the trick and carrying off the picture. "See with how little we do it; count over the elements and judge how few they are: in other words come back in winter, in the months of the naked glare, when the white paint looks dead and dingy against the snow, the poor, dear, old white paint—immemorial, ubiquitous, save as venturing into brown or yellow—which is really all we have to build on!" Some such sense as that you may catch from the murmur of the amiable elms—if you are a very restless analyst indeed, that is a very indiscreet listener.

As you wouldn't, however, go back in winter on any account whatever, and least of all for any such dire discovery, the picture hangs undisturbed in your gallery, and you even, with extended study of it, class it among your best mementos of the great autumnal harmony. The truth is that, for six or seven weeks after the mid-September, among the mountains of Massachusetts and Connecticut, the mere *fusion* of earth and air and water, of light and shade and color, the almost shameless tolerance of nature for the poor human experiment, are so happily effective that you lose all reckoning of the items of the sum, that you in short find in your draught, contentedly, a single strong savor. By all of which I don't mean to say that this sweetness of the waning year has not more taste in the presence of certain objects than in the presence of certain others. Objects remarkable enough, objects rich and rare perhaps, objects at any rate curious and interesting, emerge, for genial reference, from the gorgeous blur, and would commit me, should I give them their way, to excesses of specification. So I throw myself back upon the fusion, as I have called it—with the rich light hanging on but half a dozen spots. This renews the vision of the Massachusetts Berkshire—land

beyond any other, in America, to-day, as one was much reminded, of leisure on the way to legitimation, of the social idyl, of the workable, the expensively workable, American form of country life; and, in especial, of a perfect consistency of surrender to the argument of the verdurous vista. This is practically the last word of such communities as Stockbridge, Pittsfield, Lenox, or of such villages as Salisbury and Farmington, over the Connecticut border. I speak of consistency in spite of the fact that it has, doubtless, here and there, under the planted elms, suffered some injury at the hands of the summer-people; for really, beneath the wide mantle of parti-colored Nature, nothing matters but the accidental liability of the mantle here and there to fall thickest. Thus it is, then, that you do, after a little, differentiate, from place to place, and compare and even prefer; thus it is that you recognize a scale and a range of amplitude—nay, more, wonderful to say, on occasion, an emergence of detail; thus it is, in fine, that, while accepting the just eminence of Stockbridge and Pittsfield, for instance, you treat yourself on behalf of Farmington to something like a luxury of discrimination.

I may perhaps not go the length of asserting that Farmington might brave undismayed the absolute removal of the mantle of charity; since the great elm-gallery there struck me as not less than elsewhere essentially mistress of the scene. Only there were particular felicities there within the general—and anything very particular, in the land at large, always gave the case an appearance of rarity. When the great elm-gallery happens to be garnished with old houses, and the old houses happen to show style and form and proportion, and the hand of time, further, has been so good as to rest on them with all the pressure of protection, and none of that of interference, then it is that the New England village may placidly await any comer. Farmington sits with this confidence on the top of a ridge that presents itself in its fringed length—a straight avenue seen in profile—to the visitor taking his way from the station across a couple of miles of level bottom that speak, for New England, of a luxury of culture; and nothing could be more fastidious and exceptional, and thereby more impressive in advance, than such upliftedness of posture. What is it but the note of the aristocratic in an air that so often affects us as drained precisely, and well-nigh to our gasping, of any exception to the common? The indication I here glance at secures

for the place in advance, as you measure its detachment across the valley, a positively thrilled attention. Then comes, under the canopy of autumn, your vision of the grounds of this mild haughtiness, every one of which you gratefully allow. Stay as many hours as you will—and my stay was but of hours—they don't break down; you trace them into fifty minor titles and dignities, all charming aspects and high refinements of the older New England domestic architecture. Not only, moreover, are the best houses so "good"—the good ones are so surprisingly numerous. That is all they seem together to say. "We are good, yes—we are excellent; though, if we know it very well, we make no vulgar noise about it: we only just stand here, in our long double line, in the manner of mature and just slightly reduced gentlewomen seated against the wall at an evening party (some party where mature gentlewomen unusually abound), and neither too boldly affront the light nor shrink from the favoring shade." That, again, on the spot, is the discreet voice of the air—which quavered away, for me, into still other admissions.

It takes but the barest semitone to start the story-seeker curious of manners—the story-seeker impenitent and uncorrected, as happened in this case, by a lesson unmistakably received, or at least intended, a short time before. He had put a question, on that occasion, with an expectancy doubtless too crude; he had asked a resident of a large city of the middle West what might be, credibly, the conditions of the life "socially" led there. He had not, at Farmington, forgotten the ominous pause that had preceded the reply: "The conditions of the life? Why, the same conditions as everywhere else." He had not forgotten, either, the thrill of his sense of this collapse of his interlocutor: the case being, obviously, that it is of the very nature of conditions, as reported on by the expert—and it was to the expert he had appealed—to vary from place to place, so that they fall into as many groups, and constitute as many stamps, as there are different congregations of men. His interlocutor was not of the expert—*that* had really been the lesson; and it was with a far different poetry, the sweet shyness of veracity, that Farmington confessed to idiosyncrasies. I have too little space, however, as I had then too little time, to pretend to have lifted more than the smallest corner of this particular veil; besides which, if it is of the essence of the land, in these regions, to throw you back, after a little, upon the possible

humanities, so it often results from the social study, too baffling in many a case, that you are thrown back upon the land. That agreeable, if sometimes bewildering, seesaw is perhaps the best figure, in such conditions, for the restless analyst's tenor of life. It was an effect of the fusion he has endeavored to suggest; it is certainly true, at least, that, among the craggy hills, among little mountains that turned so easily, at any opening, to clearness of violet and blue, among the wood-circled dells that seemed to wait as for afternoon dances, among the horizons that recalled at their will the Umbrian note and the finer drawing, every ugliness melted and dropped, any wonderment at the other face of the medal seemed more trouble than it was worth. It was enough that the white village or the painted farm could gleam from afar, on the faintly purple slope, like a thing of mystery or of history; it was enough that the charming hill-mass, happily presented and foreshortened, should lie there like some beast, almost heraldic, resting his nose on his paws.

Those images, for retrospect, insistently supplant the others; though I have notes enough, I find, about the others too—about the inscrutability of the village street in general, for instance, in any relation but its relation to its elms. What *they* seemed to say is what I have mentioned; but what secrets, meanwhile, did the rest of the scene keep? *Were* there any secrets at all, or had the outward blankness, the quantity of absence, as it were, in the air, its inward equivalent as well? There was the high, thin church, made higher, made highest, and sometimes, as at Farmington, made as pretty as a monstrous Dutch toy, by its steeple of quaint and classic carpentry; but this monument appeared to *testify* scarce more than some large white card, embellished with a stencilled border, on which a message or a sentence, an invitation or a revelation, might be still to be inscribed. The present, the positive, was mainly represented, ever, by the level railway-crossing, gaining expression from its localization of possible death and destruction, where the great stilted, strident, yet so almost comically impersonal train, which, with its so often undesignated and so always unservanted stations, and its general air of "bossing" the neighborhoods it warns, for climax of its characteristic curtness, to "look out" for its rush, is everywhere a large contribution to one's impression of a kind of monotony of acquiescence. This look as of universal acquiescence plays

somehow through the visible vacancy—seems a part of the thinness, the passivity, of that absence of the settled standard which contains, as I more and more felt, from day to day, the germ of the most final of all my generalizations. I needn't be too prompt with it—so much higher may it hold its head, I foresee, when it flowers, perfectly, as a conclusion, than when it merely struggles through the side of the subject as a tuft for provisional clutching. It sprouts in that soil, none the less, betimes, this apprehension that the "common man" and the common woman have here their appointed paradise and sphere, and that the sign of it is the abeyance, on many a scene, of any wants, any tastes, any habits, any traditions but theirs. The bullying railway orders them off their own decent avenue without a fear that they will "stand up" to it; the tone of the picture is the pitch of their lives, and when you listen to what the village street seems to say, marking it, at the end, with your "Is that *all?*" it is as if you had had your account of a scheme fashioned preponderantly in their image.

I mean in *theirs* exactly, with as little provision for what is too foul for them as for what is too fair: the very middle, the golden mean, of the note of the common, to which the two extremes of condition are equally wanting; though with the mark strongest, if anywhere, against dusky misfortune and precarious dependence. The romance of costume, for better or worse, the implication of vices, accomplishments, manners, accents, attitudes, is as absent for evil as for good, for a low connection as for a high: which is why the simplification covers so much ground, that of public houses, that of kinds of people, that of suggestions, however faint, of discernible opportunity, of any deviation, in other words, into the *un*common. There are no "kinds" of people; there are simply people, very, very few, and all of one kind, the kind who thus simply invest themselves for you in the gray truth that they don't go to the public house. It's a negative garment, but it must serve you; which it makes shift to do while you keep on asking, from the force of acquired habit, what may be behind, what beneath, what within, what may represent, in such conditions, the appeal of the senses or the tribute to them; what, in such a show of life, may take the place (to put it as simply as possible) of amusement, of social and sensual margin, overflow and by-play. Of course there *is* by-play here and there; here and there, of course, extremes *are* touched: otherwise, the whole concretion, in

its thinness, would crack, and the fact is that two or three of these strong patches of surface-embroidery remain with me as curious and interesting. Never was such by-play as in a great new house on a hilltop that overlooked the most composed of communities; a house apparently conceived—and with great felicity—on the lines of a magnified Mount Vernon, and in which an array of modern "impressionistic" pictures, mainly French, wondrous examples of Manet, of Degas, of Claude Monet, of Whistler, of other rare recent hands, treated us to the momentary effect of a large slippery sweet inserted, without a warning, between the compressed lips of half-conscious inanition. One hadn't quite known one was starved, but the morsel went down by the mere authority of the thing consummately *prepared*. Nothing else had been, in all the circle, prepared to anything like the same extent; and though the consequent taste, as a mixture with the other tastes, was of the queerest, no proof of the sovereign power of art could have been, for the moment, sharper. It happened to be that particular art—it might as well, no doubt, have been another; it made everything else shrivel and fade: it was like the sudden trill of a nightingale, lord of the hushed evening.

These appeared to be, over the land, always possible adventures; obviously I should have others of the same kind; I could let them, in all confidence, accumulate and wait. But, if that was one kind of extreme, what, meanwhile, was the other kind, the kind portentously alluded to by those of the sagacious who had occasionally put it before me that the village street, the arched umbrageous vista, half so candid and half so cool, is too frequently, in respect to "morals," but a whited sepulchre? They had so put it before me, these advisers, but they had as well, absolutely and all tormentingly, so left it: partly as if the facts were too abysmal for a permitted distinctness, and partly, no doubt, as from the general American habit of indirectness, of positive primness, of allusion to those matters that are sometimes collectively spoken of as "the great facts of life." It had been intimated to me that the great facts of life are in high fermentation on the other side of the ground glass that never for a moment flushes, to the casual eye, with the hint of a lurid light: so much, at least, one had no alternative, under pressure, but to infer. The inference, however, still left the question a prey to vagueness—it being obvious that vice requires forms not less than virtue, or perhaps

even more, and that forms, up and down the prospect, were exactly what one waited in vain for. The theory that no community *can* live wholly without by-play, and the confirmatory word, for the particular case, of more initiated reporters, these things were all very well; but before a scene peeled as bare of palpable pretext as the American sky is often peeled of clouds (in the interest of the slightly acid juice of its light), where and how was the application to be made? It came at last, the application—that, I mean, of the portentous hint; and under it, after a fashion, the elements fell together. Why the picture *shouldn't* bristle with the truth—that was all conceivable; that the truth could only strike inward, horribly inward, not playing up to the surface—this too needed no insistence; what was sharpest for reflection being, meanwhile, a couple of minor appearances, which one gathered as one went. That our little arts of pathetic, of humorous, portrayal may, for all their claim to an edifying "realism," have, on occasion, small veracity and courage—that again was a remark pertinent to the matter. But the strangest link in the chain, and quite the horridest, was this other, of high value to the restless analyst—that, as the "interesting" puts in its note but where it can and where it will, so the village street and the lonely farm and the hillside cabin became positively richer objects under the smutch of imputation; twitched, with a grim effect, the thinness of their mantle, shook out of its folds such crudity and levity as they might, and borrowed, for dignity, a shade of the darkness of Cenci-drama, of monstrous legend, of old Greek tragedy, and thus helped themselves out for the story-seeker more patient almost of anything than of flatness.

There was not flatness, accordingly, though there might be dire dreariness, in some of those impressions gathered, for a climax, in the Berkshire country of Massachusetts, which forced it upon the fancy that here at last, in far, deep mountain valleys, where the winter is fierce and the summer irresponsible, was that heart of New England which makes so pretty a phrase for print and so stern a fact, as yet, for feeling. During the great loops thrown out by the lasso of observation from the wonder-working motor-car that defied the shrinkage of autumn days, this remained, constantly, the best formula of the impression and even of the emotion; it sat in the vehicle with us, but spreading its wings to the magnificence of movement, and gathering under them in-

deed most of the meanings of the picture. The heart of New England, at this rate, was an ample, a generous, heart, the largest demands on which, as to extent and variety, seemed not to overstrain its capacity. But it was where the mountain-walls rose straight and made the valleys happiest or saddest—one couldn't tell which, as to the felicity of the image, and it didn't much matter—that penetration was, for the poetry of it, deepest; just as generalization, for an opposite sort of beauty, was grandest on those several occasions when we perched for a moment on the summit of a "pass," a real little pass, slowly climbed to and keeping its other side, with an art all but Alpine, for a complete revelation, and hung there over the full vertiginous effect of the long and steep descent, the clinging road, the precipitous fall, the spreading, shimmering land bounded by blue horizons. We liked the very vocabulary, reduced to whatever minimum, of these romanticisms of aspect; again and again the land would do beautifully, if that were all that was wanted, and it deserved, the dear thing, thoroughly, any verbal caress, any tenderness of term, any share in a claim to the grand manner, to which we could responsively treat it. The grand manner was in the winding ascent, the rocky defile, the sudden rest for wonder, and all the splendid reverse of the medal, the world belted afresh as with purple sewn with pearls—melting, in other words, into violet hills with vague white towns on their breasts.

That was, at the worst, for October afternoons, the motor helping, our frequent fare; the habit of confidence in which was, perhaps, on no occasion so rewarded as on that of a particular plunge, from one of the highest places, through an ebbing golden light, into the great Lebanon "bowl," the vast, scooped hollow in one of the hither depths of which (given the quarter of our approach) we found the Shaker settlement once more or less, I believe, known to fame, ever so grimly planted. The grimness, even, was all right, when once we had admiringly dropped down and down and down; it would have done for that of a Buddhist monastery in the Himalayas—though more savagely clean and more economically impersonal, we seemed to make out, than the communities of older faiths are apt to show themselves. I remember the mere chill of contiguity, like the breath of the sepulchre, as we skirted, on the wide, hard floor of the valley, the rows of gaunt windows polished for no whitest, stillest, meanest face, even, to

look out; so that they resembled the parallelograms of black paint crisscrossed with white lines that represent transparency in Nuremberg dolls'-houses. It wore, the whole settlement, as seen from without, the strangest air of active, operative death; as if the state of extinction were somehow, obscurely, administered and applied—the final hush of passions, desires, dangers, converted into a sort of huge stiff brush for sweeping away rubbish, or still more, perhaps, into a monstrous comb for raking in profit. The whole thing had the oddest appearance of mortification made to "pay." This was really, however, sounding the heart of New England beyond its depth, for I am not sure that the New York boundary had not been, just there, overpassed; there flowered out of that impression, at any rate, another adventure, the very bravest possible for a shortened day, of which the motive, whether formulated or not, had doubtless virtually been to feel, with a far-stretched arm, for the heart of New York. *Had* New York, the miscellaneous monster, a heart at all?—this inquiry, amid so much encouraged and rewarded curiosity might have been well on the way to become sincere, and we kept groping, between a prompt start and an extremely retarded return, for any stray sign of an answer.

The answer, perhaps, in the event, still eluded us, but the pursuit itself, away across State lines, through zones of other manners, through images of other ideals, through densities of other values, into a separate sovereign civilization in short—this, with "a view of the autumnal Hudson" for an added incentive, became, in all the conditions, one of the finer flowers of experience. To be on the lookout for differences was, not unnaturally, to begin to meet them just over the border and see them increase and multiply; was, indeed, with a mild consistency, to feel it steal over us that we were, as we advanced, in a looser, shabbier, perhaps even rowdier world, where the roads were of an easier virtue and the "farms" of a scantier pride, where the absence of the ubiquitous sign-post of New England, joy of lonely corners, left the great spaces with an accent the less; where, in fine, the wayside bravery of the commonwealth of Massachusetts settled itself, for memory, all serenely, to suffer by no comparison whatever. And yet it wasn't, either, that this other was not also a big, bold country, with ridge upon ridge and horizon by horizon to deal with, insistently, pantingly, puffingly, pausingly, before the great river showed signs of taking up the tale with its higher hand;

it wasn't, above all, that the most striking signs by which the nearness of the river was first announced, three or four fine old houses overlooking the long road, reputedly Dutch manors, seats of patriarchs and patroons, and unmistakably rich "values" in the vast, vague scene, had not a nobler archaic note than even the best of the New England colonial; it wasn't that, finally, the Hudson, when we reached the town that repeats in so minor a key the name of the stream, was not autumnal indeed, with majestic impenetrable mists that veiled the waters almost from sight, showing only the dim Catskills, off in space, as perfunctory graces, cheaply thrown in, and leaving us to roam the length of a large straight street which was, yes, decidedly, for comparison, for curiosity, not as the streets of Massachusetts.

The best here, to speak of, was that the motor underwent repair and that its occupants foraged for dinner—finding it, indeed, excellently at a quiet cook-shop, about the middle of the long-drawn way, after we had encountered coldness at the door of the main hotel by reason of our French poodle. This personage had made our group, admirably composed to our own sense, as it was, only the more illustrious; but minds indifferent to an opportunity of intercourse, if but the intercourse of mere vision, with fine French poodles, may be taken always as suffering where they have sinned. The hospitality of the cook-shop was meanwhile touchingly, winningly unconditioned, yet full of character, of local, of national truth, as we liked to think: documentary, in a high degree—we talked it over—for American life. Wasn't it interesting that with American life so personally, so freely affirmed, the superstition of cookery should yet be so little denied? It was the queer old complexion of the long straight street, however, that most came home to me: Hudson, in the afternoon quiet, seemed to stretch back, with fumbling friendly hand, to the earliest outlook of my consciousness. Many matters had come and gone, innumerable impressions had supervened; yet here, in the stir of the senses, a whole range of small forgotten things revived, things intensely Hudsonian, more than Hudsonian; small echoes and tones and sleeping lights, small sights and sounds and smells that made one, for an hour, *as* small—carried one up the rest of the river, the very river of life indeed, as a thrilled, roundabouted pilgrim, by primitive steamboat, to a mellow, mediæval Albany.

HENRY JAMES.

WHAT IS LIFE?

BY SIR OLIVER LODGE, PRINCIPAL OF THE UNIVERSITY OF BIRMINGHAM.

PRELIMINARY REMARKS ON RECENT VIEWS IN CHEMISTRY.

In a recent article, Sir William Ramsay wrote on the question, "What is an Element?" and incidentally remarked the fact that the groupings possible to atoms of carbon are exceptionally numerous and complicated, each carbon atom having the power of linking itself with others to an extraordinary extent, so that it is no exceptional thing to find a substance which contains twenty or thirty atoms of carbon, as well as other elements, linked together in its molecule in a perfectly definite way; the molecule being still classifiable as that of a definite chemical compound. But there are also some non-elementary bodies which, although they are chemically complete and satisfied, retain a considerable vestige of power to link their molecules together so as to make a complex and massive compound molecule; and these are able not only to link similar molecules into a more or less indefinite chain, but to unite and include the saturated molecules of many other substances also into the unwieldy aggregate.

Of the non-elementary bodies possessing this property, *water* appears to be one of the chief; for there is evidence to show that the ordinary H_2O molecule of water, although it may be properly spoken of as a saturated or satisfied compound, seldom exists in the simple isolated shape depicted by the above formula, but rather that a great number of such simple molecules attach themselves to each other by what is called their residual or outstanding affinity, and build themselves up into a complex aggregate.

The doctrine of residual affinity has been long advocated by Armstrong; and the present writer has recently shown that it is a necessary consequence of the electrical theory of chemical

affinity,* and that the structure of the resulting groupings, or compound aggregates, may be partially studied by means of floating magnets, after the manner of Alfred Mayer.†

It may be well here to explain to students that one of the lines of argument which lead to the conclusion that the water molecule, as it ordinarily exists, is really complex and massive, is based upon measurements of the Faraday dielectric constant for water; for this constant, or specific inductive capacity, is found to be very large, something like 50 times that of air or free ether: whereas for glass it is only 5 or 6 times that of free space. The dielectric constant of a substance generally increases with the density or massiveness of its molecule,—indeed, the value of this constant is one of the methods whereby matter displays its interaction with and loading of the free ether of space,—and any such density as the conventional nine times that of hydrogen for the molecule of water would be wholly unable to explain its immense dielectric constant.

The influence of the massiveness of a water molecule is also displayed in its power of knocking asunder or dissociating any salts or other simple chemical substance introduced into it; common salt, for instance, is found always to have a certain percentage of its molecules knocked or torn asunder directly it is dissolved in water, so that, in addition to a number of salt molecules in solution, there are a few positively charged hydrogen atoms and a few negatively charged sodium atoms, existing in a state of loose attraction to the water aggregate, and amenable to the smallest electric force; which, when applied, urges the chlorine one way and the sodium the other way, so that they can be removed at an electrode and their place supplied by freshly dissociated molecules of salt, thus bringing about its permanent electro-chemical decomposition, and enabling the water to behave as an electric conductor directly a little salt or acid is dissolved in it.

The power of the water molecule to associate itself with molecules of other substances is illustrated by the well-known fact that water is an almost universal solvent. It is its residual affinity which enables it to enter into weak chemical combination with a large number of other substances, and thus to dissolve

* See "Nature," Vol. 70, p. 176, June 23, 1904.

† See an article on "Modern Views of Chemical Affinity" by the present writer in a magazine called "Technics" for September, 1904.

those substances. The dissolving power usually increases when the temperature is raised, possibly because the self-contained or self-sufficient groupings of the water molecules are then to some extent broken up and the fragments enabled to cling on to the foreign or introduced matter instead of only to each other. The foreign substance is apt to be extruded again when the liquid cools and when the affinity of the water aggregates for each other resumes its sway. Very hot water can dissolve not only the substances familiarly known to be soluble in water, but it can dissolve things like glass also, so that glass vessels are unable to retain water kept for a long time under high pressure at a very high temperature, approaching a red heat.

Another material which also seems to have the power of combining with a number of other bodies, under the influence of the loose mode of chemical combination spoken of as residual affinity, is carbon; so that a block of charcoal can absorb hundreds of times its own bulk of certain gases.

Indeed, Sir James Dewar has recently employed this absorbing power of very cold carbon to produce a perfect kind of vacuum, which may, perhaps, be the nearest approach to absolute vacuum that has yet been attained: probably higher than can be attained by any kind of mechanical or mercury pump.

UNEXPECTED INFLUENCE OF SIZE.

Suppose now a substance contains a great number of carbon molecules and a great number of water molecules, each of which has this residual affinity or power of clinging together well developed, what may be expected to be the result? Surely, the formation of a molecule consisting of thousands or hundreds of thousands of atoms, constituting substances more complex even than those already known to or analysable by organic chemistry; and if these complex molecules likewise possess the adhesive faculty, a grouping of millions or even billions of atoms may ultimately be formed. A billion, that is a million millions, of atoms is truly an immense number, but the resulting aggregate is still excessively minute. A portion of substance consisting of a billion atoms is only barely visible with the highest power of a microscope; and a speck or granule, in order to be visible to the naked eye, like a grain of lycopodium-dust, must be a million times bigger still. Such a grouping is likely to have properties

differing not only in degree but in kind from the properties of simple substances.

For it must not be thought that aggregation only produces quantitative change and leaves quality unaltered. Fresh qualities altogether are liable to be introduced or to make their appearance at certain stages—certain critical stages—in the building up of a complex mass.

The habitability of a house, for instance, depends on its possessing a cavity of a certain size; there is a critical size of brick-aggregate which enables it to serve as a dwelling. Nothing much smaller than this would do at all. The aggregate retains this property, thus conferred upon it by size, however big it may be made after that; until it becomes a palace or a cathedral, when it may perhaps reach an upper limit of size at which it would be crushed by its own weight, or at which the span of roof is too great to be supported. But the difference, as regards habitability, between a palace and a hovel is far less than that between a hovel and one of the air-holes in a brick or loaf, or any other cavity too small to act as a human habitation. The difference as regards habitability is then an infinite difference.

To take a less trivial instance; a planet which is large enough to retain an atmosphere by its gravitative attraction differs utterly, in potentiality and importance, from the numerous lumps of matter scattered throughout space, which, though they may be as large as a haystack or a mountain or as the British Isles, or even Europe, are yet too small to hold any trace of air to their surface, and therefore cannot in any intelligible sense of the word be regarded as habitable. One of the lumps of matter in space can become a habitable planet only when it has attained a certain size, which conceivably it might do by falling, together with others, into a complex aggregate under the influence of gravitative attraction. The asteroids have not succeeded in doing this, but the planets have; and, accordingly, one of them, at any rate, has become a habitable world.

But observe that the great size and the consequent retention of an atmosphere did not generate the inhabitants; it satisfied one of the conditions necessary for their existence. How they arose is another matter. All that we have seen so far is that an aggregate of bodies may possess properties and powers which the separate bodies themselves possess in no kind or sort of way. It is not a

question of degree, but of kind. So also, further, if the aggregate is large enough, very much larger than any planet, as large as a million earths aggregated together, it acquires the property of conspicuous radioactivity, it becomes a self-heating and self-luminous body, able to keep the ether violently agitated in all space round it, and thus to supply the radiation necessary for protecting the habitable worlds from the cold of space to which they are exposed, for maintaining them at a temperature appropriate to organic existence, and otherwise for supplying and generating the energy for their myriad activities. It has become in fact a central sun, and source of heat, solely because of its enormous size combined with the fact of the mutual gravitative attraction of its constituent particles. No body of moderate size could perform this function, nor act as a perennial furnace to the rest.

APPLICATION TO PROTOPLASM.

Very well, then, return now to our complex molecular aggregate, and ask what new property, beyond the province of ordinary chemistry and physics, is to be expected of a compound which contains millions or billions of atoms attached to each other in no rigid, stable, frigid manner, but by loose unstable links, enabling them constantly to rearrange themselves and to be the theatre of perpetual change, aggregating and reaggregating in various ways and manifesting ceaseless activities. Such unstable aggregates of matter may, like the water of a pond or a heap of organic refuse, serve as the vehicle for influences wholly novel and unexpected.

Too much agitation—that is, too high a temperature—will split them up and destroy the new-found potentiality of such aggregates; too little agitation—that is, too low a temperature—will permit them to begin to cohere and settle down into frozen rigid masses insusceptible of manifold activities. But take them just at the right temperature, when sufficiently complex and sufficiently mobile; take care of them, so to speak, for the structure may easily be killed; and what shall we find? We could not exactly guess what would be the result, but we can observe the result as it is.

The result is that the complexes group themselves into minute masses visible in the microscope, each mass being called by us a "cell"; that these cells possess the power of uniting with or

assimilating other cells, or fragments of cells, as they drift by and come into contact with them; and that they absorb into their own substance such portions as may be suitable, while the insufficiently elaborated portions,—the grains of inorganic or oversimple material,—are presently extruded. They thus begin the act of "feeding."

Another remarkable property also can be observed; for a cell which thus grows by feeding need not remain as one individual, but may split into two or into more than two, which may cohere for a time, but will ultimately separate and continue existence on their own account. Thus begins the act of "reproduction."

But a still more remarkable property can be observed in some of the cells, though not in all; they can not only assimilate a fragment of matter which comes into contact with them, but they can sense it, apparently, while not yet in contact, and can protrude portions of their substance or move their whole bodies towards the fragment; thus beginning the act of "hunting"; and the incipient locomotory power can be extended till light and air and moisture and many other things can be sought and moved towards, until locomotion becomes so free that it sometimes seems apparently objectless—mere restlessness, change for the sake of change, like that of human beings.

The power of locomotion is liable, however, to introduce the cell to new dangers, and to conditions hostile to its continued aggregate existence. So, in addition to the sense of food and other desirable things ahead, it seems to acquire, at any rate when still further aggregated and more developed, a sense of shrinking from and avoidance of the hostile and the dangerous,—a sense as it were of "pain."

And so it enters on its long career of progress, always liable to disintegration or "death"; it begins to differentiate portions of itself for the feeding process, other portions for the reproductive process, other portions again for sensory processes, but retaining the protective sense of pain almost everywhere; until the spots sensitive to ethereal and aërial vibrations — which, arriving as they do from a distance, carry with them so much valuable information, and when duly appreciated render possible perception and prediction as to what is ahead—until these sensitive spots have become developed into the special organs which we now know as the "eye" and the "ear." Then, presently, the power

of communication is slowly elaborated, speech and education begin, and the knowledge of the individual is no longer limited to his own experience, but expands till it embraces the past history and the condensed acquisition of the race. And now slowly begins a developed self-consciousness, a discrimination between the self and the external world, and a realization of the power of choice and freedom—a stage beyond which we have not travelled as yet, but a stage at which almost all things seem possible.

The first two properties, assimilation and reproduction, overshadowed by the possibility of death, are properties of life of every kind, plant life as of all other; but the power of locomotion and special senses, overshadowed by the sense of pain, are the sign of a still further development into what we call "animal life." The further development of mind, consciousness, and sense of freedom, overshadowed by the possibility of wilful error or sin, is the conspicuous attribute of life which is distinctly human.

Thus, our complex molecular aggregate has shown itself capable of extraordinary and most interesting processes, has proved capable of constituting the material vehicle of life, the natural basis of living organisms, and even of mind; very much as a planet of certain size proved itself capable of possessing an atmosphere.

But is it to be supposed that the complex aggregate generated the life and mind, as the planet generated its atmosphere? That is the so-called materialistic view, but to the writer it seems an erroneous one, and it is certainly one that is not proven. It is not even certain that every planet generated all the gases of its own atmosphere: some of them it may have swept up in its excursion through space. What is certain is that it possesses the power of retaining an atmosphere; it is by no means so certain how all the constituents of that atmosphere arrived.

QUESTIONS CONCERNING THE ORIGIN AND NATURE OF LIFE.

All that we have actually experienced and verified is that a complex molecular aggregate is capable of being the vehicle or material basis of life; but to the question *what life is* we have as yet no answer. Many have been the attempts to generate life *de novo*, by packing together suitable materials and keeping them pleasantly warm for a long time; but, if all germs of preexisting

life are rigorously excluded, the attempt hitherto has been a failure: so far, no life has made its appearance under observation, except from antecedent life.

But, to exclude all trace of antecedent life, it is necessary not only to shut out floating germs, but to kill all germs previously existing in the material we are dealing with. This killing of previous life is usually accomplished by heat, but it has been argued that heat so applied will destroy not only the life, but the potentiality for life, will break up the complex aggregate on which life depends, will deprive the incubating solution not only of life but of livelihood. There is some force in the objection, and it is an illustration of the difficulty surrounding the subject. But Tyndall showed that antecedent life could be destroyed, without any very high temperature, by gentle heat periodically applied: heat insufficient to kill the germs, but sufficient to kill the hatched or developed organisms. Periodic heating enables the germs of successive ages to hatch, so to speak, and the product to be slain; and, although some each time may have reproduced germs before slaughter—eggs capable of standing the warmth—yet a succession of such warmings would ultimately be fatal to all, and that without necessarily breaking up the protoplasmic complex aggregate on the existence of which the whole vital potentiality depends.

So far, however, all effort at spontaneous generation has been a failure; possibly because some essential ingredient or condition was omitted, possibly because great lapse of time was necessary. But suppose it was successful: what then? We should then be reproducing in the laboratory a process that must at some past age have occurred on the earth; for at one time the earth was certainly hot and molten and inorganic, whereas now it swarms with life.

Does that show that the earth generated the life? By no means; no more than it need necessarily have generated all the gases of its atmosphere or the meteoric dust which lies upon its snows.

Life may be something not only ultra-terrestrial, but even immaterial, something outside our present categories of matter and energy; as real as they are, but different, and utilizing them for its own purpose. What is certain is that life possesses the power of vitalizing the complex material aggregates which exist on this

planet, and of utilizing their energies for a time to display itself amid terrestrial surroundings; and then it seems to disappear or evaporate whence it came. It is perpetually arriving and perpetually disappearing. While it is here, the animated material body moves about and strives after many objects, some worthy, some unworthy; it acquires thereby a certain individuality, a certain character. It realizes *itself*, moreover, becoming conscious of its own mental and spiritual existence; and it begins to explore the Mind which, like its own, it conceives must underlie the material fabric—half displayed, half concealed, by the environment, and intelligible only to a kindred spirit. Thus the scheme of law and order dimly dawns on the nascent soul, and it begins to form clear conceptions of truth, goodness, and beauty; it may achieve something of a permanent value, as a work of art or of literature, it may enter regions of emotion and may evolve ideas of the loftiest kind; it may degrade itself below the beasts, or it may soar till it is almost divine.

Is it the material molecular aggregate that has of its own unaided latent power generated this individuality, acquired this character, felt these emotions, evolved those ideas? There are some who try to think it is. There are others who recognize in this extraordinary development a contact between this material frame of things and a universe higher and other than anything known to our senses; a universe not dominated by Physics and Chemistry, but utilizing the interactions of matter for its own purposes; a universe where the human spirit is more at home than it is among these temporary collocations of atoms; a universe capable of infinite development, of noble contemplation, and of lofty joy, long after this planet—nay, the whole solar system—shall have fulfilled its present spire of destiny and retired cold and lifeless upon its endless way.

OLIVER LODGE.

THE TERCENTENARY OF "DON QUIXOTE."

BY HAVELOCK ELLIS.

I.

THREE centuries ago there appeared in Madrid a novel entitled "Don Quixote de la Mancha." The book was carelessly printed in poor type on bad paper. It aroused little admiration; most of the great literary men of the age looked down on it contemptuously; it seemed, indeed, to satirize some of the most sacred ideals of serious Spaniards. But however it might be regarded by orthodox literary critics or narrow-minded patriots, the book was at once read throughout Spain. Outside Spain, also, it was very soon not only known and translated, but highly praised, especially in England, where leading men of letters, great philosophers, and eminent physicians proclaimed their admiration. More happy than its hero or its author, the novel had set forth on a career of adventure in which it finally conquered the world.

There can be no doubt about it, "Don Quixote" is the world's greatest and most typical novel. There are other novels which are finer works of art, more exquisite in style, of more perfect architectonic plan. But such books appeal less to the world at large than to the literary critic; they are not equally amusing, equally profound, to the men of all nations and all ages and all degrees of mental capacity. Even if we put aside monuments of literary perfection, like some of the novels of Flaubert, and consider only the great European novels of widest appeal and deepest influence, they still fall short of the standard which this book, their predecessor and often their model, had set. "Tristram Shandy," perhaps the most cosmopolitan of English novels, a book that in humor and wisdom often approaches "Don Quixote," has not the same universality of appeal. "Robinson

Crusoe," the most typical of English novels, the Odyssey of the Anglo-Saxon on his mission of colonizing the earth—God-fearing, practical, inventive—is equally fascinating to the simplest intellect and the deepest. Yet, wide as its reputation is, it has not the splendid affluence, the universal humanity, of "Don Quixote." "Tom Jones," always a great English novel, can never become a great European novel; while the genius of Scott, which was truly cosmopolitan in its significance and its influence, was not only too literary in its inspirations, but too widely diffused over a wilderness of romances, ever to achieve immortality. "*La Nouvelle Héloïse,*" which once swept across Europe and renewed the novel, was too narrow in its spirit, too temporary in its fashion, to be enduring. "Wilhelm Meister," perhaps the wisest and profoundest of books in novel form, challenges a certain comparison; as the romance of the man who, like Saul the son of Kish, went forth to seek his father's asses and found a kingdom, it narrates an adventure which is in some sense the reverse of Don Quixote's; but in its fictional form it presents, like the books of Rabelais, far too much that is outside the scope of fiction ever to appeal to all tastes. "The Arabian Nights," which alone surpasses "Don Quixote" in variety and universality of interest, is not a novel by one hand but a whole literature. "Don Quixote" remains the one great typical novel. It is a genuine invention; for it combined for the first time the old chivalrous stories of heroic achievement with the new picaresque stories of vulgar adventure, creating in the combination something that was altogether new, an instrument that was capable of touching life at every point. It leads us into an atmosphere in which the ideal and the real are equally at home. It blends together the gravest and the gayest things in the world. It penetrates to the harmony that underlies the violent contrasts of life, the only harmony which in our moments of finest insight we feel to be possible, in the same manner and, indeed, at the same moment,—for "Lear" appeared in the same year as "Don Quixote,"—that Shakespeare brought together the madman and the fool on the heath in a concord of divine humor. It is a story-book that a child may enjoy, a tragicomedy that only the wisest can fully understand. It has inspired many of the masterpieces of literature; it has entered into the lives of the people of every civilized land; it has become a part of our human civilization.

II.

It was not to be expected that the author of such a book as this, the supreme European novel, an adventure book of universal human interest, should be a typical man of letters, shut up in a study, like Scott or Balzac or Zola. Cervantes was a man of letters by accident. First of all, he was a soldier and an adventurer; it was as such that he impressed his fellow-countrymen, and to this fact we owe much of our knowledge of his life. The records of his life—apart from his incidental notices of himself, and equally apart from his later fame as an author—are detailed, though broken and imperfect. We are even able to frame a definite portrait of the man as he lived,—here, indeed, aided by his own descriptions,—a more definite portrait than we possess of his great contemporary and spiritual kinsman, Shakespeare, though, in this more unfortunate, we have no authentic portrait of Cervantes. We see him, a man of average height, with heavy shoulders, light complexion, bright eyes, chestnut hair, great mustache and golden beard, a little marred by short sight and an impediment of speech, yet the type of the man of sanguine temperament and audacious action.

Born in 1547, probably on Michaelmas Day, in the ancient Castilian town of Alcalá de Henares, near Madrid, Cervantes was the youngest child of parents of hidalgo blood, whose position in the world had fallen. Both parents belonged to Alcalá and its neighborhood, and it is interesting to remember that scarcely more than a hundred miles away had been the home of the parents of the other great Spanish world-figure, Christopher Columbus, who gave to Spain a New World she lost so soon. Cervantes was fortunate, not only in his birth, but in his breeding; his schoolmaster was a man of firm character, as well as of learning and literary ability; he conceived an affection for his pupil, and was probably the means of implanting or arousing those tastes which were afterwards to develop so mightily. As a youth, Cervantes wrote bad verse, which perhaps helped him to secure at the age of twenty-two the friendship and patronage of Cardinal Acquaviva, a man scarcely older than himself, with whom he travelled to Rome. For some of his biographers there is a mystery about this sudden departure from Madrid; a quarrel, it has been more than surmised, an intrigue with a lady of high birth, swords drawn in the precincts of the Court,—a serious

offence for which the penalty was loss of the right hand. But, whatever the episode, it served to bring Cervantes into the main current of European life. It was, indeed, a fine moment in the history of Europe. The days of chivalry seemed to have come back again. A great Crusade had been preached against the infidel Turk, and under the inspiration of the Pope and the leadership of Don John of Austria the united forces of Rome, Spain and Venice were preparing to put to sea with an armament of unparalleled magnitude. Cervantes, with the hereditary instincts of a soldier and the personal impulse of a poet enamoured of high adventure, shared the enthusiasm. He left the Cardinal's household and enlisted as a common soldier. But the regiment he entered, which admitted only young men of good family, was one of great distinction; it represented the flower of Spanish infantry, held to be invincible, until, a century later, it went down forever at the battle of Rocroi. This wave of Christian chivalry that thus swept Cervantes with it culminated in the famous battle of Lepanto, one of the world's great sea-fights. That day—the 7th of October, 1571—was the finest moment in the life of Cervantes. He was weak and ill of a fever when the battle began, he received three gunshot wounds in the course of it, and his left hand was permanently maimed, yet his share in the glory of that day was ever afterwards a source of pride and joy. Singularly enough, as contemporary evidence amply shows, the part played by this private soldier on board the "Marquesa," one among thirty thousand men, really won him the highest honor. Nothing could better demonstrate the extraordinary personal qualities of the man. When, after some further service in an expedition against Tunis, he obtained leave of absence to revisit Spain, he bore with him on board the galley "El Sol" letters of recommendation to the King from the first generals of the day, containing the highest eulogies of his valor and merit, as well as of his amiable personal qualities. But that irony of life which was always to pursue Cervantes in the real world—aided, as he himself admitted, by peculiarities of personal temperament—and which in old age he was to translate so incomparably into the terms of the ideal world, had begun to pursue him. The "Sol" was captured almost in sight of Spain by Algerine corsairs, and these letters led the captors to form so high an opinion of the importance of their captive that they demanded a ransom out of

proportion to his position or his family's means. He became the slave of a corsair captain of exceptional brutality, and was carried to Algiers in chains, there to be detained for five years.

In Algiers, as again we learn from much independent evidence, Cervantes displayed, under new and more difficult circumstances, the same extraordinary personal qualities. He was a slave, in chains, the property of a brutal master. Yet he speedily became the leader and inspirer of the Christian captives in Algiers; in devising methods of escape and in boldly seeking to execute them, his courage and fertility of resource were alike inexhaustible. Owing to the treachery of others, rather than to any failure on his own part, his plans always miscarried; but he accepted the responsibility, and he would implicate no one else. It is astonishing that his captors, so far from inflicting punishment upon him, seem to have treated him with an increased degree of consideration. In Islam, human worth is always recognized and esteemed wherever it may appear; that is one of the secrets of its vitality. But the absolute impunity which Cervantes enjoyed at the hands of these reckless and daring Algerians, then at the height of their power, still remains a mystery. At last, by the exertions of a benevolent monk, the amount of the ransom was gathered together from various sources, and Cervantes returned to Spain. But his services were now forgotten; Lepanto had proved a barren victory, and Don John was dead. If Cervantes had chosen to become a renegade Mohammedan, he could, doubtless, have risen to any position he cared to aspire to; in Spain, the spirit of freedom and all personal initiative were being crushed beneath the arrogant hands of the Philips. Spain had no uses for the best and bravest of her sons, and Cervantes saw nothing before him but to do as he had done ten years before, though not, we may be sure, with the same enthusiasm: he once more entered the ranks as a common soldier. This time, again, he chose a highly distinguished regiment, in which, it so chanced, his rival and enemy, Lope de Vega—then a boy of sixteen, but soon to become the acknowledged prince of Spanish letters,—was also at this time serving. Cervantes was now, however, growing tired of the hard, ill-paid and brutal life of camps; a chivalrous enthusiasm, not the love of warfare, had led him to become a soldier; and, after fighting under Alva a victorious campaign against Portugal, he threw aside the pike for the pen.

It was a memorable epoch in his life. It seems to have been in Portugal, about this time or somewhat earlier, for the point is not quite clear, that he fell in love with a Portuguese woman, said to have been of high birth, by whom he had a natural daughter, his only child, who was with him to the end of his life; and perhaps it was on this account that he retained a constant affection for Portugal and the Portuguese. A little later, in 1584, at the age of thirty-eight, he wrote his first acknowledged work, the pastoral poem of "Galatea," and shortly afterwards married the lady for whose sake it is supposed to have been written, a woman much younger than himself, belonging to his own province, and of fairly good fortune; with her he appears to have lived happily till his death, and she desired to be buried by his side. Henceforth, his life was divided between literature, especially the writing of plays, and various petty avocations,—sometimes as a collector of dues for religious orders, sometimes as an agent for buying grain and oil for the fleet,—whereby he was enabled to become very familiar with every aspect of country life in Spain. Once he was imprisoned by the default of a man to whom he had entrusted a large sum of money. In literature, he was always a pioneer, though as yet he had written nothing that could gain for him an immortal name. At last,—if we may follow the tradition, though it is not solidly established,—by the wanton and unexplained act of some unknown person he was incarcerated for a time in the cellar of a house in the little town of Argamasilla in La Mancha. Here, it seems, suggested by some local circumstance of the moment, the germ of "Don Quixote" arose in his mind. A few years later, the first Part was published. Yet later, in 1613, appeared the "*Novelas Exemplares*," a delightful collection of stories, which, as literature, may be said in some respects to rank even above the greater work. Finally, in 1615, at the age of sixty-eight, he published the second Part of "Don Quixote." During all these years Cervantes lived with his wife, his daughter, his widowed sister and his niece, whom he supported, sometimes in Seville, sometimes in Valladolid, sometimes in Madrid, the three chief cities of a country which was at that moment the first in the world, the largest, the richest, the most civilized, the most brilliant. He died in Madrid, a popular author, but a poor and unhonored man, on April 23rd, 1616, departing from the world but a few days before his great fellow spirit, Shakespeare.

III.

It was necessary to recapitulate the main facts of the life of Cervantes,—however familiar they may be,—because it is impossible to understand "Don Quixote" unless we realize clearly the figure of the man who stands behind it. We are accustomed to say that the book is a satire of the old romances of chivalry. In a limited sense that is quite true. Cervantes ridiculed the extravagances of chivalrous romance in its decadence. But for "Amadis" and the other great old romances he had nothing but admiration and affection. They were, indeed, a characteristic product of Spain; we may even say the same of chivalry itself, for it lived on in Spain long after it had died everywhere else, fostered by the struggle against the infidel Moslem, himself a chivalrous figure, and the more or less legendary Cid is the supreme representative of chivalry. Cervantes lived his whole life in the spirit of the knight errant, and "Don Quixote" swept away the romances of chivalry, not because it was a satire of them, but because it was itself a romance of chivalry and the greatest of them all, since its action was placed in the real world.

Cervantes was only a man of letters by accident. He was a soldier, a man of action, who would never have taken up the pen, except in moments of recreation, if a long chain of misfortunes had not closed the other avenues of life. It is a singular fact that nearly every great Spanish author has been a soldier or an adventurer, at least as familiar with the pike as with the pen. "The lance has never blunted the pen, nor the pen the lance," said Don Quixote, therein expressing the conviction of all Spanish writers. Italian men of letters have often been keen politicians, French men of letters brilliant men of the world, English and Americans good business men or capable men of affairs, but nowhere save in Spain do we find the soldier supreme in literature. To say nothing of the writers of the golden age of Spain in which Cervantes himself lived, we find the soldier prominent in Spanish literature from the first. Merobaudes, the Christian poet of the fifth century, was also a distinguished soldier; Jaime the Conqueror, the great King of Aragon, is almost as famous for his picturesque chronicle as for his fighting qualities; Bishop Roderic of Toledo, the chief chronicler of the thirteenth century, wielded his sword in the fight with the same vigor as he wielded the pen afterwards in describing the fight; Santillana, the glory

of Spanish literature in the fifteenth century, was equally great in camp, council and court; Garcilasso de la Vega, one of the most typical of Spanish figures, describes himself as dividing his time between his sword and his pen.

Spain has ever been the land of the sword; the ancient rapier, perhaps even the name itself, is Spanish; Shakespeare's soldiers cherished their Bilbo; the blades of Toledo, valued by the Romans, are still made in that ancient city. It is perhaps not surprising that, with this familiarity with the sword and the rapier, Spanish men of letters, and very notably Cervantes himself, were apt to neglect the more minute graces of style, and to wield the pen with something of the same freedom and force which they had learned from the more brilliant, virile and flexible weapon. It is, perhaps, also not surprising that they learned in the world of action to feel and to express a humanity, an insight, a depth, which are not learned in the study; it was a Spaniard who declared that the poet should speak through the mouth of his wound, "*por la boca de su herida.*" The swift, daring, poignant qualities of Spanish literature seem to bear witness to the fact that these men were trained for the pen by the sword.

In this, as in all else, Cervantes was a typical Spaniard. He was a great personality, a brilliant soldier, long before he conceived "Don Quixote." It is interesting in this respect to compare him with the greatest of his contemporaries in literature, a man as typically English as he was Spanish, and as immortal as himself. In temper of intellect, Shakespeare resembled Cervantes, though he was incomparably the greater artist; they had passed through the same kind of mental evolution, they had the same abounding humanity, and both ultimately attained the same sweet-natured, yet profoundly ironic, vision of life. Yet, if neither of them had ever written, how different, when the antiquaries had disinterred their histories, would be our conception of the two men. They were alike in being of somewhat poor parentage and yet of good family, and both had to make their own way in the world. But all we could say of Shakespeare would be that, after some rather dubious episodes in early life, he became a third-rate actor and a successful manager; that, personally, he was an amiable man, though punctilious in business matters; and that his chief ambition in life was to retire early on a competency, and to write "Gentleman" after his name. There

are millions of his fellow countrymen of whom one could say as much. But, if Cervantes had never written a line, he would still have seemed an extraordinary man and a great personality. Before he wrote of life, he had spent his best years in learning the lessons of life.

Seldom has any great novel been written by a young man: "Tristram Shandy," "Robinson Crusoe," "Tom Jones," "*La Nouvelle Héloïse*," "Wilhelm Meister" were all written by mature men who had for the most part passed middle age. "Don Quixote"—more especially the second and finer Part—was written by an old man, who had outlived his ideals and his ambitions, and settled down peacefully in a little home in Madrid, poor of purse but rich in the wisdom garnered during a variegated and adventurous life. "Don Quixote" is a spiritual autobiography. That is why it is so quintessentially a Spanish book.

Cervantes was a Spaniard of Spaniards. The great writers of a nation are not always its most typical representatives. Dante could only have been an Italian and Goethe only a German, but we do not feel that either of them is the representative man of his people. We may seek to account for Shakespeare by appealing to various racial elements in Great Britain, but Shakespeare —with his volubility and extravagance, his emotional expansiveness, his lightness of touch, his reckless gayety and wit—was far indeed from the slow, practical, serious Englishman. Cervantes, from first to last, is always Spanish. His ideals and his disillusions, his morality and his humor, his artistic methods as well as his style,—save that he took a few ideas from Italy,—are entirely Spanish. Don Quixote himself and Sancho Panza, his central personages, are not only all Spanish, they are all Spain. Often have I seen them between Madrid and Seville, when travelling along the road, skirting La Mancha, that Cervantes knew so well: the long solemn face, the grave courteous mien, the luminous eyes that seem fixed on some inner vision and blind to the facts of life around; and there also, indeed everywhere, is the round wrinkled good-humored face of the peasant farmer, imperturbably patient, meeting all the mischances and discomforts of life with a smile and a jest and a proverb. "Don Quixote!" I have always exclaimed to myself, "Sancho Panza!" They two make Spain in our day, perhaps, even more than in Cervantes's day; for, sound as Spain still is at the core, the man of heroic action and fearless

spirit, the *conquistador* type of man, is nowadays seldom seen in the land, and the great personalities of Spain tend to become the mere rhetorical ornaments of a rotten political system. Don Quixote, with his idealism, his pride of race and ancestry, his more or less dim consciousness of some hereditary mission which is out of relation to the world of to-day, is as inapt for the leadership of the modern world, as Sancho Panza, by his very virtues, his brave acceptance of the immediate duty before him, his cheerful and uncomplaining submission to all the ills of life, is inapt for the tasks of progress and reform. The genius of Cervantes has written the history of his own country.

Even in the minute details of his great book we may detect the peculiarly national character of the mind of Cervantes, and his thoroughly Spanish tastes. To mention only one trifling point, we may observe his preference for the color green, which appears in his work in so many different shapes. Perhaps the Moors, for whom green is the most sacred of colors, bequeathed this preference to the Spaniards, though in any case it is the favorite color in a dry and barren land, such as is Spain in much of its extent. Cervantes admires green eyes, like other Spanish poets, though unlike the related Sicilians, for whom dark eyes alone are beautiful; Dulcinea's eyes are "*verdes esmeraldas.*" Every careful reader of "Don Quixote," familiar with Spain, cannot fail to find similar instances of Cervantes's *Españolismo.*

And yet on this intensely national basis, "Don Quixote" is the most cosmopolitan, the most universal, of books. Not Chaucer or Tolstoy shows a wider humanity. Even Shakespeare could not dispense with a villain, but there is no Iago among the six hundred and sixty-nine personages who, it is calculated, are introduced into "Don Quixote." There is no better test of a genuinely human spirit than an ability to overcome the all-pervading influences of religious and national bias. Cervantes had shed his blood in battle against the infidel corsairs of Algiers, and he had been their chained captive. Yet he not only learned and absorbed much from the Eastern life in which he had been soaked for five years, but he acquired a comprehension and appreciation of the Moor which it was rare indeed for a Spaniard to feel for the hereditary foes of his country. Between Portugal and Spain, again, there was then, to an even greater extent than to-day, a spirit of jealousy and antagonism; yet Cervantes can never say too

much in praise of Portugal and the Portuguese. If there was any nation whom Spaniards might be excused for hating at that time it was the English; those pirates and heretics of the north were perpetually swooping down on their coasts, destroying their galleons, devastating their colonial possessions; Cervantes lived through the days of the Spanish Armada; yet his attitude towards the English is always courteous and considerate.

It was, perhaps, in some measure, this tolerant and even sympathetic attitude towards the enemies of Spain, as well as what seemed to many the ridicule he had cast upon Spanish ideals and Spanish foibles, which so long stood in the way of any enthusiastic recognition by Spain of Cervantes's supreme place in literature. He was for some centuries read in Spain, as Shakespeare was at first read in England, as an amusing author, before he was recognized as one of the world's great spirits. In the mean while, outside Spain, "Don Quixote" was not only finding affectionate readers among people of all ages and all classes; it was beginning to be recognized as a wonderful and many-sided work of art, a treasure-house in which each might find what he sought; an allegory, even, which would lend itself to all interpretations. Heine has recorded how, as a boy by the Rhine, he had read "Don Quixote" with laughter and tears, and how with his own growth the meaning of the book grew with him, a perpetual inspiration. And it is not alone the pioneer in life, the adventurous reformer, the Knight of the Holy Ghost, who turns to "Don Quixote"; the prudent and sagacious man of the world turns thither also with a smile full of meaning, as the wise and sceptical Sydenham turned when an ambitious young practitioner of medicine asked him what he should read: "Read 'Don Quixote.' It is a good book. I read it still." "Don Quixote" is not only the type and pattern of our greatest novels; it is a vision of the human soul, woven into the texture of the world's spiritual traditions. The Knight of La Mancha has indeed succeeded in his quest, and won a more immortal Dulcinea than he ever sought. In the festivals which she holds this month, Spain is expressing her pride in the achievement of a great Spaniard; she is also celebrating one of the immortal possessions of mankind.

HAVELOCK ELLIS.

PROBABLE JAPANESE TERMS OF PEACE.

BY ADACHI KINNOSUKÉ.

"China cedes to Japan, in perpetuity and full sovereignty, the following territories, together with the fortifications thereon:

"(*a*) The southern portion of the province of Fengtien within the following boundaries: The line of demarcation begins at the mouth of the River Yalu and ascends that stream to the mouth of the River Anping; from thence the line runs to Fenhuang; from thence to Haicheng; from thence to Yinkau, forming a line which describes the southern portion of the territory. When the line reaches the River Liao at Yinkau, it follows the course of that stream to its mouth, where it terminates. The mid-channel of the River Liao shall be taken as the line of demarcation. This cession also includes all islands appertaining or belonging to the province of Fengtien, situated in the eastern portion of the bay of Liaotong and in the northern part of the Yellow Sea.

"(*b*) The Island of Formosa, together with all the islands appertaining or belonging to the said Island of Formosa.

"(*c*) The Pescadores group—that is to say, all islands lying between the 119th and 120th degrees of the longitude east of Greenwich and the 23rd and 24th degrees of north latitude."

So reads Article II of the Shimonoseki treaty. It is an old, oft-told tale how, without reason, with little humor, and all because of a polite joint note from Russia, Germany and France, this Article was revised. As for Nippon, she showed her vast appreciation for the wisdom of the weak which is called "expediency"; that was the most remarkable phase of this historic incident. And the diplomatists of civilized Europe, with the excellent Count Cassini at the head of them, knew better than any one else that it was not right. And they laughed, because something about this affair seemed to appeal to their sense of humor and made them good-natured. And it does not seem to require the eternal years of God—which schoolboys have been delighted to claim for the cause of truth crushed to earth—to make right

that which the wisdom of the diplomatists and the guns of the combined fleet of the triple alliance made wrong ten years ago. For the reassertion of the original Shimonoseki treaty would be, perhaps, the first item in the peace terms.

Nippon would be happy in receiving the remnant of the once proud Pacific squadron of Russia—those war-ships which are now dismantled in neutral ports, and a few that are sealed up in the ice of Vladivostok. And, with the assurances of profound respect, Nippon would avail herself of this opportunity to beg His White Majesty, the Tsar of All the Russias, not to send any more vessels to the Pacific; His Majesty might find better employment for his good ships on waters nearer his home. As a matter of history, these waters of ours are dear to us. It might be said of them: "The same junk sails are pearling in the light of the setting sun, the same picturesque high sterns with which the poets of the Ashikaga period were familiar, the eternal sky above and the waves below are heaving to the tunes and emotions of a thousand years ago." With the cross of St. Andrew lording it over them, however, these seas become veritable nightmares to the very life of Nippon.

Then there is an old score—it is worse than a woman with a past, this affair of the diplomatic relations between Nippon and Russia. As far back as the memory of the Matsumae clan dates, Saghalin and a greater part of the island of Yezo had been under the rule of the daimyo of the clan. In 1780, the Yedo Government sent out two men, Mogami and Kondo, to make a tour of inspection through the islands of Iturup, Urup, Kunashir, and so on. Five years later, ten men were sent out to Saghalin. When the nineteenth century was scarce four years old there appeared in the harbor of Nagasaki a Russian commission; it was headed by Lezanoff. After the manner of all civilized states seeking an introduction to a new land which had never invited them to come to it, the Russians came to us on a benevolent mission. With them they brought a number of shipwrecked men, natives of Nippon. They were not thoughtless or absent-minded; their charitable enthusiasm did not make them forget to present to the Shogun a petition for trade. The Yedo Government, which knew nothing virtuous in the civilized race—schooled as it had been in the bitter days of Romish ambitions in the earlier days of Christian missions in Nippon—declined the invitation to enter into trade relation-

ship with Russia. The charitable Russian mission turned north and changed its mind, as so often happens with a good man and a good mission; it ravaged the islands of Saghalin and Iturup. About a month after the historic visit of Commodore Perry to Uraga—on the 17th of July, 1853, to be exact—there entered the harbor of Nagasaki a Russian admiral, Putiatin by name. In presenting the letter from Nicholas I, he asked for two things: namely, for a solution of the mooted question of the northern boundary between Nippon and Asiatic Russia, and for the trade of Nippon. Six years later, when the Crimean war was over, in 1859, the famous Count Muravieff entered Yedo Bay in a man-of-war; his dealings with the Chinese officials had made him famous for modesty: he demanded the recognition by Nippon of the whole of Saghalin Island as Russian territory. The Tokugawa shogunate, tottering on its maimed legs, as it was, gave the famous Count of the Amur to understand that there is a certain difference in temperament between the mandarin and the samurai. He succeeded in carrying away with him nothing better than his bad temper. After many a tortuous turn of negotiation, on the 7th of May of our own, and on the 25th of April of the Russian, calendar, 1875, the Gortchakoff-Enomoto treaty was at last signed. The whole of Saghalin Island passed into the hands of Russia; and, in return, Russia agreed to recognize several of the islands of the Kurile group as the territory of Nippon. That the early knowledge that the Nippon Government had as to the resources and value of Saghalin (of which one can still read in the memorials of so able a statesman as Kuroda) made for the satisfaction of an unholy territorial hunger of Russia is beyond all question. Nevertheless. . . . For many a year it has been no secret with us, the people of Nippon, that there is one wish somewhat dearer to the heart of His Majesty the Emperor than others. On the day when he received the dais from his imperial father, the Empire of Nippon contained the island of Saghalin: on the day when he will vacate the dais in favor of his heir, he would see on the map of Nippon at least every inch of the soil which had known the gracious rule of his august father. And, to-day, a wish of His Majesty—I do not care how slight or remote it be—is nothing short of a passion with the people of Nippon. To the eyes of the West, our devotion to our ruler is past all understanding; it may be well to say here that it passes our own understand-

ing as well. The present war has served, however, to bring home to the minds of our Western friends the existence of this miraculous devotion, which cannot be questioned. Now, the imperial dream of handing down his line the Empire intact is neither slight nor remote. It would be very singular, therefore, if the diplomatists of Nippon should agree on a settlement of this war without the retrocession of Saghalin.

As for the disposition of Manchuria, Nippon has not wrapped her intentions in foggy rhetoric for the puzzle-shelf of diplomacy; she has ever been glad to share them with all the world, and why not? Manchuria is a rich province; the most remarkable thing about it is its future, the promises which its resources hold out to modern enterprise. Nippon did not wish that a party should come along—a party, especially, which has never had any pertinent business there—and build round about its fertile plains a wall much more difficult to break through than the famous walls of ancient China. "Open door" is already a classic phrase with America, England and Nippon. Through the weary months that have fertilized its plains with her blood, Nippon's wishes have never been altered. She wishes Russia to evacuate Manchuria; she has not the slightest desire of remaining in it herself. In making a present of Manchuria to China, Nippon in all fairness might be permitted to ask China to furnish her a joint guarantee from three Powers—namely, America, Great Britain and Nippon herself—that the territory thus turned over to its rightful owner, China, shall not be leased or ceded to a foreign Power: that is one requirement. And the other boon she would be likely to ask is this: That, in consideration of the return of the province wherein is the imperial mausoleum of the reigning house of China, the Chinese Empire would consent to open a number of her provinces, ports and towns to the commerce of all the world. This, of course, is important, commercially, to the interest of Nippon. The chief end in view, however, is to waken our neighbor to her national consciousness.

The world seems to have forgotten that the East-China Railway is a property owned by a private company. Certainly, the Government of the Tsar has not given the road and the curious public many opportunities to see that the railway is the property of a private company; the wolf has not, in spite of its reputed cunning, taken much advantage of the lamb's skin. And in the

end, and at the time of the reckoning of things in their real status, it will matter but little. If it please the cleverness of the Russian diplomatists to insist that the East-China Railway is the property of a private company, Nippon is not likely to dispute that claim. And Nippon would be happy in paying her respectful attention to the terms of a few articles of the Hague Convention, beginning with the fifty-third, which have something to say about the military occupation of railways that are not of government ownership. One thing is certain, however, that, after all this, Nippon would simply demand that the Government of the Tsar should pay the private company which owns the railway, and turn the East-China branch of the trans-Asian road—that is to say, from Harbin to Port Arthur and Dalny—into the hands of Nippon. Writing as early as June of last year, Dr. Tomizu, one of the highest authorities on law, both domestic and international, also on world-politics, in Nippon, concludes: "At any rate, it is imperative that the Nippon Government should receive into its hands the East-China Railway."

The same authority advocates the cession by Russia to Nippon of the Siberian territory east of Lake Baikal. Now, the entire Russian territory east of Baikal is neither the most modest demand in the world, nor is it well defined. Nippon's actual demand will be more likely to define it as the territory east of the River Amur —the line of demarcation to be drawn from the mouth of the river to Nicholaievsk, and then to follow the course of the river to the Manchurian boundary. This, of course, would include the fortifications and naval base at Vladivostok. The reason for this demand is simple: it is the very same reason for which Nippon took up arms—the permanent peace of the Far East and the future security of the national existence of Nippon. Let the critics who would frown upon this demand as extravagant remember that the war, now that it has come, is with us no flowering of a dream or a gilt toy of glory. Simply, it is a sad operation; a surgeon's knife which fights the cancer, with the patient's life as its stake, would be more than profitless, would be criminal, were it to hesitate to cut out the last vestige of the root of the fatal foe. As it was to American patriots many years ago, the only lamp unto the feet of them who would shape the future of Nippon is history. And the tales of Russia's ambitions, of her appetite for territory, and her absent-mindedness over solemn

treaties in black and white which the past has to tell are lost in no cloudy rhetoric. Russia is great: it is her potential strength that the Nippon framers of the peace treaty must first of all take into consideration. Nippon has no desire for a future war with Russia—or with any other country. There is only one way open to her—to make herself on the North Pacific stronger than Russia will be after she shall have recovered from the effects of this war, after she shall have been born again, after she shall have come to her own national consciousness.

"The meaning of the conclusion of a peace treaty must needs be the same as the establishment of definite and effective measures to prevent a future war which might arise without them," wrote the "Nippon," one of the three conservative dailies of Tokio, in its editorial column of the issue of the twenty-fourth of January of the thirty-eighth year of Meiji. It went on to comment:

"If you were to allow your imagination to roam over the possible battle-fields of a future war between Russia and Nippon, it would necessarily travel both on land and over seas; it would not be a simple trip. As for the naval aspect of it, however, it is comparatively simple. At this day, and henceforth, Port Arthur being already in our hands, there is only one thing necessary—to place Vladivostok at our command. That is the only naval base for the homing of the Russian squadron so far away from home. It would be practically impossible to establish any other naval base of importance on the Pacific in the future; and the reason of it all is simple: there is not another point on all the Russian littoral on the Pacific that would serve well the Russian ambitions and dreams of the command of the sea. If we succeed in attaining one of the two ends in view—namely, either to annex the port of Vladivostok or force Russia to agree to make it a non-naval port—Russia shall have lost the last naval base in the Far-Eastern waters. . . . The order of the day is the occupation of Vladivostok. For this reason, we say that the time for our country to devote her attention to peace propositions must of necessity be after the occupation of Vladivostok."

To cope with Russia, when Russia is a unit, alive and wide awake to every phase of her strength, that, certainly, is no dwarf's programme. For Nippon, as she stands to-day, to dream of such a thing is simply to make herself ridiculous with a madman's delusion. It is always safer to count upon your own strength than to depend on the sense of justice, humanity and responsibility of your allies. With a Power, however, that is unquestioned mistress of the North Pacific, and whose flag covers practically the

entire stretch of coast-line from the mouth of the Liao River to Nikolaievsk, with sufficient hinterland to make her sovereignty solid, matters will be different. Then Nippon might be able to sleep upon a high pillow. Now that the unhappy war is on, every one in the Land of the Gods is praying the eight million gods of his fathers that this shall be the last of the dark *jigoku* upon earth. At the end of our diplomatic defeat ten years ago, which crowned our victorious land with a crown of thorns, we nevertheless were happy enough to receive a precious lesson. And now the people of Nippon are prepared to do either one of these two things: to die in this present struggle, under a cloudless sky, a death honored and brave, such as would have been dear to the hearts of the samurai of old; or to live in such a manner that the very idea of aggression upon their rights would be ridiculous even in the eyes of the civilized West.

The Russian cession of the Amur district is important from a military and strategic standpoint. There is something more important even than that; it helps to solve a question which might be considered rather vital. The cession of the Saghalin Island and the Amur district would place in the hands of Nippon the fisheries of the Sea of Okhotsk and the Gulf of Tatary, as well as that of the northern portion of the Sea of Nippon. At present, the fishing interest of Nippon in the waters round about Saghalin amounts to a good deal over three million yen a year. With Saghalin and the Amur littoral in our hands, and with a careful administration of the fishing industry, the business would amount to over twenty million yen a year. And the fishing possibilities in the Sea of Okhotsk are far more important than in the waters about Saghalin. Another thing: Since the adoption of the gold standard in our country, Korea has been furnishing us gold to the value of from three to five million yen every year. A very little gold is produced in Nippon. The gold-mining in Korea and the Amur districts would do much to place our monetary system on a firmer basis.

Indemnity? It is far too early to speak of that. That certainly depends solely on the duration of the war.

ADACHI KINNOSUKÉ.

ECONOMIC QUESTIONS AFFECTING THE VISAYAN ISLANDS.

BY BRIGADIER-GENERAL WILLIAM H. CARTER, U.S.A.

THE Visayan Islands constitute a most important group of the Philippines, from a commercial point of view; for nearly all the sugar and a great part of the hemp exported from the Archipelago are produced in the Visayas. The bulk of the sugar is shipped from the port of Iloilo, although produced by the neighboring island of Negros. The hemp of Leyte commands always the highest market price, and there is a very wide range of values between the best and the poorest qualities of that fibre. An early return to a state of prosperity in the Visayas depends upon a proper solution of economic questions which relate to these, its principal, productions, rather than upon any considerations of academic politics; no one appreciates this more thoroughly than the Visayans themselves.

It should be understood that, while the export trade is nearly all in the hands of British, Spanish and other foreign houses, the agricultural operations are quite generally in the hands of Visayans. The result of this arrangement has produced a widespread feeling of pending misfortune, for the reason that all the commercial houses refrained during the past season from advancing money to the sugar-planters. Many sugar-fields have been allowed to lie fallow, but, nevertheless, a considerable crop will find its way to market.

The failure to secure money on credit may not be a grave misfortune to the planters. If the price of sugar is remunerative, those who have produced crops will be financially able to go on next year without further dependence upon the money-lenders; and those whose haciendas now lie fallow will only be in debt to the Government for their taxes, and not in the hands of Shylocks.

There is no better land anywhere for the production of sugar-cane than in the island of Negros. To develop this well-established industry does not require great capital, but settled conditions and a fixed policy as to tariff barriers. It is not so much a question of aid, as of a knowledge as to what fixed trade relations will exist between the islands and the United States. It is uncertainty, quite as much as the loss of farm animals, which is now holding back this industry.

No man with business instincts can study the situation on the spot without reaching the conviction that there is a great market in the Orient for all the sugar the Philippines can produce, and that what is needed is a better grade of cane, modern machinery and sugar refineries in Iloilo. An inferior quality of cane is planted; the harvesting is done without reference to proper economy of labor, and the crushing of the cane is crude and lacking in thoroughness. In fact, the whole process, from planting to marketing the crop, is in need of modernization, and this will come in due time. Even with the same grade of cane now planted, the profits could be materially increased by better methods at the mills.

In China there lies a great undeveloped sugar-market, for the Chinese are but beginning to acquire the sugar habit; and Japan may be safely counted upon as the legitimate market for the Visayan sugar output whenever the Philippine tariff may be arranged with that end in view.

Of course, the development of a sugar-market in the great interior of China will mean a general trade with the Chinese, for it is not in accord with the history of economic development for the people of one country to make payment for goods to another country in cash, which is to be expended in still another country, that may be the political parent of the people supplying the goods.

It has been said many times in public speeches that, when the Filipinos have been under the American flag long enough to understand the benefits which it confers, they will not want political independence, and there is much probability of truth in the statement. On the other hand, if America will, for a period of five years, lower the tariff barriers which the people of the Visayas regard as the cause of industrial depression in their beautiful islands, it is equally certain that the barriers will forever remain removed.

The next in importance of the industries of the Visayas is the cultivation of hemp. While the hemp is known to the commercial world as "Manila hemp," the island of Luzon by no means produces the bulk of the crop. The Visayas contain several islands endowed by nature with the peculiar soil and climatic conditions favorable to the production of high-grade hemp fibre, but the quantity produced in all the Philippines is not what it ought to be. A hemp-stripping machine is to the hemp industry what the cotton-gin is to the cotton industry; yet for more than a hundred years the hemp trade of the Philippines has suffered for the lack of such an invention. The demand for a high-grade Manila hemp has always exceeded the supply, and the price paid has been so remunerative that it has actually lowered the amount of production of the high-grade article. The demand being great, the native hemp-workers found they could get a good price for an inferior article, and naturally brought to market that which could be produced with the least labor.

Hemp-stripping by hand is the most severe labor involved in the production of any crop in the Philippine Islands. When stripping with a smooth knife, a native works only about every other day, the intervening time being considered necessary for recuperation from exhaustion. By allowing the hemp to lie in the rain and soften, and by using serrated blades, the fibre is secured with much less labor, but it is of an inferior quality and discolored. Complaints have been frequent, and efforts have been made to correct the abuse which has threatened the very existence of the hemp trade. Many substitutes have been tried, and with some success; but there is nothing known to equal the best quality of Philippine hemp.

Since American occupation of the islands, the necessity of a machine stripper has been universally recognized, and the honor of having practically solved the question seems to have fallen to a young American engineer, Robert Edward Lindsay. Doubtless, the machine invented by Mr. Lindsay will undergo many improvements; but in its present form it is reported as being capable of turning out sixty pounds of first-class white hemp, of uniform quality, every hour by the labor of two men. Under the existing system, an average hemp-worker can strip about forty-five pounds of fibre in a day.

At the prevailing price of hemp, a good native worker may earn

enough in a few days to supply his simple wants for an indefinite period; and, as the workers are under no contract or obligation, the output has been very uncertain. It is not to be expected that the ignorant natives of the hemp districts will approve of the introduction of the machine, but the usefulness of the invention is so great that companies will now be able to engage in hemp production on a greater scale than ever before. There is no reason why the Philippines should not supply the world with the best grade of white hemp, and the full development of this trade with America may result in a stream of gold akin to that which flows steadily from our supposedly worthless purchase, Alaska, and London may no longer be the distributing-point for the world supply of this fibre.

Sugar and hemp are by far the most important articles of commerce of the Visayas, but there are other industries which incidentally furnish support for a large population. Not the least of these are the cocoanut plantations, for which nature has endowed the coast lines of nearly all the Visayas. Copra is a staple article of commerce, and the output may readily be trebled in quantity and improved in quality, while the by-products may be made to pay nearly all the expenses through the establishment of local factories for handling the cocoanut crop at the centres of trade in the islands.

The Visayas have for several years depended upon Indo-China and French-China for rice; but the abundant crop of native rice recently harvested will serve to reduce greatly the necessity for drawing so heavily on foreign sources during the coming year for this essential article of Oriental diet.

The lumber resources are vast and valuable, but they are not yet readily accessible, because of lack of transportation and an intricate and paternal system of forestry control. These conditions will be ameliorated as prosperity comes in other lines, and as experience and expediency dictate modifications.

Not the least interesting of the Visayan industries is the production of the hand-looms which supply the greater part of the native clothing. The native costumes may vary in color and material, but seldom in fashion or cut. The materials used vary from cotton and coarse hemp, through several finer fibres, to silk. The Province of Iloilo is the centre of the jussi and peña industry, and it would be difficult to find more dainty materials than are

produced by the industrious native women. The jussi fibre and the silk used in the production of the best qualities of goods are imported from China, the other fibres used being found in the home islands. This weaving industry is carried on in the houses of nearly all the natives above the field-hand class, and the profits furnished food for a vast number of women and children during the critical period following American occupation. The high rate of duty now operating at American ports against this class of goods has had the effect of producing pinching poverty amongst a worthy class of native women workers, without any corresponding benefit to American factories.

The Visayan women are usually more industrious than the men, but there has been a tendency to condemn the laborers before they have had an honest trial. In several recent instances, a considerable number of laborers have been taken from the Visayas for employment on public works in other portions of the Archipelago, and unsatisfactory results have followed. Careful investigation has usually developed the fact that promises made to the Visayans have not been faithfully kept.

It is true that the native Visayan is not, and never can be, capable of performing as much work as the large, well-nourished American. The native, however, can and does work according to his physical ability and mental training, and for very much less pay than would be offered to the poorest American. It has been the experience of many Government officials that there is no difficulty in obtaining laborers in the Visayas, in any number, and for any work required, *so long as they are honestly and promptly paid.* By basing all calculations on the physical capacity of the native and *paying him his just dues,* the whole character of the labor problem should be changed in a few years. Many labor troubles in the more civilized countries have resulted from the practice of paying laborers in store checks and other devices; and not a few of our bloody Indian wars have had their origin in broken faith.

Many Americans have joined with foreign investors in the islands in the cry for removal of the restriction on the importation of Chinese labor. There is grave danger in this cry, and if, through the expediency of the moment, coolie labor be introduced in the Visayas, the evil effects on the natives, as well as on the American Government, will far exceed any possible benefits. The

Chinese now in the islands have driven the natives out of business, until there remains only one business house in native hands in the largest city of the Visayas. The wholesale business of the Visayas is controlled by British, Spanish, German, Swiss and other nationalities, except American, and the small retail stores are nearly all in the hands of Chinamen.

Under these conditions, should Chinese coolie labor be brought in for plantation work, there is nothing left for about 2,000,000 Visayan native laborers (the population numbers nearly 3,000,000), but to starve and steal. This means a large increase of Army and Constabulary expenses, for it would produce many conditions akin to those involved in the settlement of the Indian question. Can any reasonable man doubt that the natives would harass and murder the coolies unless every hacienda were furnished with a guard? It is far wiser and more humane to develop the islands slowly, rather than introduce an element of discord fraught with so many evil consequences.

It may be readily understood that existing economic conditions and consequent lack of employment have had a deleterious effect upon the natives who have heretofore been engaged in the production of staple crops. Organized bands of robbers have received many recruits from amongst the idle, and have kept the whole body of people in a state of fear. It is the old, old story of a long strike—discord, arson and murder. When prosperity returns to the Visayas, those who are willing to labor will find ample employment; and the strong arm of the Government may then be effectively employed to restore order and give protection to life and property. In this it will receive the aid and encouragement of all intelligent Visayans, who desire nothing so much as that their islands shall be soon restored to a condition of prosperity and good order, which will enable them to move onward to a higher and more material development than has hitherto been possible.

WILLIAM H. CARTER.

LOSSES ON THE BATTLE-FIELD.

BY DR. LOUIS ELKIND.

FROM whatever point of view it may be considered, it is certain that war between two great Powers never fails to command the attention of the whole civilized world. The military man, for instance, takes keen interest, say, in the tactics displayed by the rival armies and their generals; the commercial world, taking it as a whole, is concerned as to the effect events will have on trade in general and finance in particular. As a matter of fact, no section of society can be regarded as a disinterested witness of a great conflict between two powerful nations. Apart from these considerations, it can safely be said that what most vividly impresses the mind of the general public is the number of losses sustained by each side. Put briefly, there is an idea, more or less generally prevalent, that, in consequence of the ever-increasing deadliness of the arms used in battle, and the immense number of shots that can be projected in a given time, the losses nowadays are greater than occurred in the wars of former times. On the whole, this idea gained ground during the South-African War, and it has become still more general since the outbreak of the Russo-Japanese War. For this, no doubt, some of the newspaper correspondents are much to be blamed: as a rule, they are not deterred from sending greatly exaggerated reports of losses, just as they did of the losses recently sustained in the streets of St. Petersburg on the so-called "Vladimir Day." Unfortunately, no official report has been published as yet of the actual number of casualties sustained in the fierce fighting at 203 Metre Hill and Akasaku-yama, which took place during the last days of November and the first five days of December, when important positions were captured and retaken time and again. In this instance, no doubt, the percentage of loss must have considerably exceeded

previous records. For this battle—in which small tins containing dynamite, hand-grenades and large high-explosive shells were used—was fought on both sides with a bravery and savagery more reckless than any modern historian has as yet registered. But, apart from this, the number of killed and injured in the other battles fought between the forces of Russia and Japan is certainly not above the normal, and is, moreover, relatively far less than was the case in many former encounters, say, during the first half of the last century, and still further back. The Crusaders, for instance, lost whole armies, and Gustavus Adolphus lost, in the vicinity of Nuremberg in 1632, half of his men between the middle of August and the end of September. In each of these cases, however, it was disease much more than the arms of the enemy that was the cause.

In a military campaign, deaths result from three principal causes: first, defective sanitary arrangements; secondly, inadequate medical and surgical treatment; thirdly, the arms of the enemy. As time has gone on, science and civilization have made great and rapid progress, and, as a consequence, considerable and far-reaching improvements have been made under each of these three heads, that is to say, towards preserving life and towards the means of destroying it.

As regards sanitary measures, the advance made in this direction, particularly during the last three or four decades, and the highly beneficial results and the radical improvements by which it was attended are, on the whole, well known and, therefore, no more need be said on this point.

A subject, however, of very great interest is that of army surgery and its development, even if for no other reason than that it helps to explain in an obvious and satisfactory manner why it is that fewer men are lost in modern warfare than there used to be. The space at my disposal does not permit of going into details; but it is interesting to record that the first notable scientific treatise on the subject is the work of an Italian surgeon named Vigo, which was published, under the heading of "*De Vulnere Facto ab Instrumento quod Bombarda Nuncupatur,*" in the second decade of the sixteenth century. So great was Vigo's reputation that this publication was regarded by the author's contemporaries as something almost infallible, and the precepts laid down therein were for years carried out practically to the letter, especially by

those surgeons who were attached to the armies of Charles V and Francis I. From the historic point of view, however, it should be added that this was not actually the first essay dealing with battle-field surgery. H. Brunschwig, a German surgeon, wrote one twenty years earlier; but as he was, comparatively speaking, an obscure man, his work attracted little or no attention. On the other hand, Vigo enjoyed some reputation as a philosopher; and, as philosophy and medicine were in those days regarded as inseparable sciences, and, moreover, as he was at the same time the friend and medical adviser of Pope Julius II, his celebrity was all the greater. Vigo is, therefore, always considered as the pioneer of this particular branch of surgical work, or, rather, he was until quite recently. For a very interesting discovery was made in this respect just about thirty years ago; and, as this fact is far from being generally known, it deserves to be recorded here.

Amongst the literary bequests made by a German physician there was found a long essay in the shape of a manuscript, written some four centuries ago, and dealing with this subject of the surgical treatment of wounded men. Its author was a lay brother of a certain monastic order, who, it would appear, was present at the siege of Marienburg—that is, as far back as 1457—and who, indeed, saw much fighting in the course of his life. So far as we know, the monk was the first man to write down his ideas as to the best way to treat wounds sustained in battle, but he did not publish his essay, which, by the way, is dated 1460.

Further, when Vigo's famous work was given to the world, powder had not long been discovered, and was just then beginning to be used—at least to a general extent. Naturally enough, his interest was largely aroused by this discovery; and, after long and laborious investigations into the matter, as he tells us, "he felt justified in expressing his view to the effect that a shot fired by powder poisoned the wound made, the explosive being the poisonous element." Again, continuing his researches, he came to the conclusion that the best way to treat such a wound was "to cauterize it, and then pour boiling oil into it"—a frightful infliction on the unfortunate man who fell into the surgeon's hands. The high esteem in which Vigo was held by his professional brethren was mainly responsible for the fact that these barbarous measures were carried out to the letter, and innumerable wounded men died in consequence.

Indeed, no chapter in the whole history of Medicine and Surgery affords such painful reading as does that which relates to this particular period of dealing with wounds and similar injuries. Great and important discoveries, as is well known, are made by accident, and here we have again, as will be seen later on, a confirmation of this rule.

Amongst the originally misguided surgeons who were in the employ of Charles V and of Francis respectively, were two who are justly entitled to fame, for one of them laid the foundation, from the scientific point of view, of the theory and practice of surgery, and the other did a like service with regard to the anatomical sciences. The latter, Andreas Vesalius, used surreptitiously to make *post-mortem* examinations of the bodies of fallen soldiers, and thus gained what was in his day a remarkable and accurate knowledge of anatomy. Ambroise Paré, the surgeon, a Frenchman, had, so he tells us in his exceedingly interesting and instructive book, "*Le Voyage de Thurin*," never seen a wound on the battle-field before joining the army in what he calls "an official and responsible position." However, he had carefully studied Vigo's famous treatise; and when he was called upon to attend wounded soldiers he carried out the philosopher's instructions, until, as he cheerfully admits, he became short of oil. He says:

"I did not sleep during the following night, for I was haunted by the thought of the unfortunate men whose wounds I had not been able to cauterize in the usual way. With the dawn of morning I hurried to them, filled with fear that they would be poisoned and dead. But what a miracle! Those whom I had not cauterized slept well, their wounds were practically free of any inflammatory signs—such as, for instance, redness and swelling—and, moreover, they complained of little or no pain: on the other hand, those who had been treated strictly according to Vigo's precepts exhibited a most painful and, indeed, heartrending appearance, for none of the classical signs of inflammation were absent."

From that moment it became clear to Paré that the almost inhuman treatment of wounded men which Vigo so successfully advocated was in the highest degree responsible for the huge losses the army had sustained, and he decided to discontinue all cauterization. To make a long story short, Paré went even so far as to test in a practical manner the theory according to which powder was a highly poisonous substance. He administered "*la poudre à canon*," as he terms it, internally to wounded soldiers,

who felt no ill effects. Happily, in this striking way a new order of things was prepared for. As a matter of fact, surgical science was thereupon placed on what may be described as a proper and scientific basis; and, as it was just about that time that firearms were first being used to a considerable extent in warfare, the importance of the discovery of the harmfulness of Vigo's conclusions cannot well be overestimated.

Speaking generally, one of the reasons why the public are led to suppose that modern battles are more deadly than those of past times, is that rifles and guns have a far greater range now than hitherto. The result of this, however, is that battles are fought between enemies separated by a considerable distance, and it can be shown that the greater the distance the less deadly is the shot that finds a human billet. Thus, as the range has increased, the chances of being killed on the spot, or dangerously injured, have markedly decreased. This is, indeed, so much the case that, whilst in the great battles fought, say, between 1741 and 1878 (including the Russo-Turkish War), out of each hundred hit twenty-five perished immediately, the percentage of immediate deaths in more recent campaigns, according to the latest statistics, did not exceed 17.3, and, as a rule, it varied between 7.5 and 15.1.

Now, as regards the effectiveness of long-distance shots, a simple but very interesting experiment—which tends to explain how it came about that the number of immediate deaths in warfare has been reduced to such a favorable and pronounced degree—may be briefly described here. If, say, a hollow leaden ball which is quite empty be fired at from a short distance, the bullet will pass right through and cause no other damage than the making of two holes; but, if that ball were filled with water or some other fluid or pulpy matter, it would be broken into fragments. Suppose, however, that it were placed at a considerable distance from the firearm, then, even though it were filled with some thick fluid, the effect of the shot would be just the same as if it were empty. The greater the distance, then, the less the effect, and this holds good as regards certain parts of the human body, especially the skull. When the skull is penetrated by a bullet fired at a short distance from it, the skin which covers it is torn into numerous pieces, the bone itself is broken into fragments, and parts of the brain protrude as if taken out artificially; but, if the bullet has

travelled a long distance, the skin, though torn, holds the skull bones together, and these bones, instead of being smashed, are merely fissured, and, as a rule, are well amenable to modern surgical treatment. The extremities, too, are affected in the same manner, that is to say, they are wounded according to distance, but, on the other hand, it must be admitted that certain other parts of the body do not conform to this rule—the abdomen and chest, for instance.

Taken altogether, the increased efficiency of arms used in warfare has had the somewhat paradoxical effect of reducing, to a very considerable extent, the soldier's chance of being killed on the spot. Other causes which have helped to lessen the average of deaths are the introduction of arms of small calibre, and the discontinuance of soft lead bullets in favor of those of harder material. Soft lead bullets are much the more deadly; indeed, it has been shown beyond doubt that, when a soft lead bullet reaches the tissue, it splits into small parts—splashes, as it were—and thus inflicts terrible injuries, inasmuch as it destroys all the tissues, soft and hard, around. On the other hand, the hard lead bullet cuts through the tissue and blood-vessels as cleanly as a knife and penetrates all the layers of tissue; consequently, the damage done is materially less and, from the therapeutic point of view, far more favorable.

In connection with this, it should be pointed out that soft bullets were not abandoned from humane motives so much as from the consideration of good marksmanship. It has been found that particles of such bullets remain in the barrel of the rifle after being fired, and correct aiming soon becomes difficult or impossible. Then, also, a hard bullet can be fired a far greater distance, and, moreover, it maintains its velocity. But, all the same, from the humane point of view it is well that soft bullets are no longer used to any great extent.

Again, on two vital points at least we are left in darkness, as it were, by history. For historians, taking them as a whole, do not tell us as to the undercurrents which mould the destinies of nations—and such information would have been most valuable just now, in view of the recent tragic events in Russia. Nor have they come to any definite opinion as to what percentage of an army should be killed or wounded before defeat is acknowledged—a fact the importance of which does not require any further com-

ment. The student must, therefore, make close examination of much of the mass of data there is to hand. The figures of killed and wounded in some of the world's greatest battles impress one very strongly with the fact that, the more perfect the training and discipline of the troops, the greater are the losses sustained before there is occasion to admit defeat. In the times of Frederick the Great and of Napoleon, enormous losses—proportionally speaking, perhaps the largest ever reached—were inflicted on the armies of those great generals, and still there was no necessity to retreat or capitulate: facts which have led military historians to conclude that never were armies more perfectly trained for war than those commanded by Frederick and Napoleon. In direct contrast to this, we have records of battles between contending factions in small states in which the percentage of men lost by the losing side was as low as 0.5 or even 0.3. This was notably the case in the Liberation Wars in some of the minor German States (1848-1849), but the Italians, too, especially during that particular period, do not seem to have offered stubborn resistance to the victorious Austrians. For the former were defeated at the battle of Custozza (1848) and at that of Novara (1849) with a loss of 0.9 and 3.7 per cent. respectively. The same remark applies, amongst others, to the wars of the Hungarian Insurrection. The less the discipline, therefore, the sooner are troops demoralized when under fire. On the other hand, Russian armies have not been defeated until the ranks have been reduced to the extent of 30 or 45 per cent.—a circumstance which tends to confirm the reports of many eye-witnesses that Russians in battle are quite indifferent to death. The losses sustained by the British troops in some of the battles in South Africa, in which they were defeated, were comparatively very small, only 2.5 or 4.8 per cent. of the whole, this being one of the reasons why Continental critics expressed such strongly adverse views on the work of the British generals. Taking this matter of the percentage of losses in battle as a whole, it would be highly desirable that, in the event of an international conference being again held to decide as to what kind of explosives should or should not be used in civilized warfare, the question should also be discussed as to what is the largest percentage of losses that can or should be sustained before an army is defeated. For in the proceedings of the International Conference on this subject, held at St. Petersburg in 1868, no

precise indication on this point is contained. And, on the other hand, the statistics, as we have them, are so varied that they are confounding.

Interesting, also, would it be to ascertain what amount of explosive and shot is required, or rather has been required, to put one man out of action, striking, of course, an average. The information which we have on this point is very meagre. In one battle, however, "the Battle of the Nations," we are told that 12,000,000 cartridges were used on the side of the Allies, together with 179,000 gun charges, and that these killed or wounded 48,000 men on the French side. It follows, therefore, that only one shot in 250 found a human billet. Every hit was, therefore, obtained at an enormous expenditure of ammunition. That battle (Leipsic) was fought as far back as October, 1813, but in more recent battles the average expenditure has been reduced considerably. It would seem that, at the time when smooth-bore rifles were used, 325 cartridges were fired for every adversary hit, while the old muzzle-loaders necessitated an expenditure of between 350 and 475 shots; but, with the breech-loader, not more than some 120 cartridges, or thereabouts, are required to obtain one successful shot. The conflict in South Africa was conducted on far different lines from what had ever prevailed before. Battles were fought in which the contending sides were a long distance apart, and the Boers in particular were generally well under cover. Consequently, the number of shots fired which had no effect was unusually large.

Another point to be considered is that losses are generally very unevenly distributed amongst the various troops, this, of course, being in accordance with the degree of exposure and the density of the colors on a given area of ground. Then, also, there is the question as to whether a frontal attack is made or one from the rear; in the former case, the number of successful shots made by the defenders is far greater than in the latter. Infantry, it has been shown, lose much more severely than cavalry, even though the latter get under heavy fire. In the Franco-German War—to mention only one instance—the number of killed in the infantry amounted to 52.79 per cent. as against 27.08 in the cavalry, 27.22 in the artillery and 17.63 in the pioneers—according to von Mayer's, Mayo-Smith's and G. de Molinari's statistics.

There is another important point which deserves particularly

to be emphasized, namely, that in nearly all the great battles the number of officers killed is considerably greater, relatively speaking, than the number of men, the proportion, on an average, being 28.04 per cent. against 13.7 per cent.—a circumstance which well illustrates the bravery, as well as the sense of responsibility, of the leaders of the men in all armies.

As I have already pointed out, a great number of circumstances have happily combined to bring about a gradual and considerable reduction in the average losses in modern battles. However, a little further inquiry into this matter may not be without interest. First of all, such weapons as swords and lances, which were used with very deadly effect during a long period of history, and notably so in the course of the Thirty Years' War, during which Germany sustained a loss in life of at least 11,750,000, are now not well adapted to use in battles, and have been abandoned for the most part—that is to say, to a percentage, if compared with other arms, as low as 3.8 or even 1.1. The musket, also, a most effective weapon, has gone; and, strange as it may seem, the improved rifle which has taken its place does not bring about nearly so many losses in the enemy's ranks. The soldier who was hit by a bullet fired from a musket may be said, in almost every case, to have looked death in the face. The modern rifle has a much greater range than the musket, but is of smaller calibre. This latter point makes it less deadly; but, then, the object of firing is not so much to kill one of the enemy as to put him out of action. Again, it was the practice, until quite recently, to extract a bullet which had become lodged in the body, with the consequence that, in the course of the operations, matter capable of causing some infection was often introduced into the body, with a fatal result. But it has been discovered, largely in the course of treatment of cases of attempted suicide, that, even when a bullet has entered such a vital organ as, say, the brain, the patient may recover without the bullet's being touched. This occurs in about 79 per cent. of such cases—according to some recently published statistics. Experience in this matter is in contradiction to long-established theory, but it is an experience of the utmost value, which military surgeons have turned to practical account—with remarkably good results. And, further, take the cases of injuries to the knee sustained on the battle-field. Formerly, that is until about two decades ago, as many as 83 or 87 per cent. of soldiers

so injured died of their wound, but, thanks to modern surgical treatment, there has been an enormous reduction in the mortality from this cause, which now scarcely exceeds 18 per cent., and often enough it amounts to only 17 or 15 per cent.

Another important cause of the reduction of mortality is the discovery that, in cases of bullet-fracture, amputation of the injured limb is not imperative, as was formerly thought to be the case. On the whole, wounds can now be treated antiseptically, and it is only in very exceptional cases that amputation is resorted to.

Finally, a few months ago attention was called in the press to the fact that the Japanese, before going into battle, changed their shirts, evidently with the object of avoiding wound-infection that might arise from contact with the dirt and perspiration which would collect on a shirt that had been worn for some little time. The supposed "low" mortality amongst the Japanese troops was ascribed partly to this simple precaution. It is, therefore, interesting to note that experiments, which have recently been made by some reliable observers—Prof. Pfuhl amongst others—have yielded striking and unexpected results. The highly interesting fact was thus established that those kinds of bacteria, which perspiration (or dirt resulting from it) may under certain circumstances contain, are invariably of a non-virulent character—that is, they are perfectly harmless, and, consequently, the inference which has been somewhat hastily drawn is incorrect.

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ENGLISH GOTHIC ARCHITECTURE.*

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THERE is no phase of architectural history upon which more has been written than the Early Gothic period. It has been remarked that the change in the artistic character of buildings when the Romanesque style yielded place to Gothic, was more sudden and complete than any similar revolution of taste in the whole history of the arts; and it is natural to demand where and under what conditions the new impulse had its birth. The Gothic movement produced, in all the lands of Western Europe, groups of monuments differing in local characteristics, though inspired by essentially the same artistic idea; and the comparison of these groups leads to inquiries about their historical connections and comparative æsthetic value.

It is now fully recognized that Central France, the so-called *domaine royal,* with Paris as its capital, was the focus of the energies that created the Gothic style; but it is a question whether all the other local forms of the art were merely derived from France, or possessed any independence of their own. English Gothic occupies in this respect a special position. It is so remarkable an artistic achievement that, at one time, to the insular imagination it represented the style in general, as if Gothic were an English institution in which other countries only shared. Continental writers, who naturally repudiated these claims, have on the other hand gone too far in exhibiting English Gothic as

* "A History of Gothic Art in England." By Edward S. Prior, M.A., London, George Bell and Sons, 1900.
"Development and Character of Gothic Architecture." By Charles Herbert Moore. Second Edition. New York, The Macmillan Company, 1899.
"*Die Kirchliche Baukunst des Abendlandes.*" By Dr. G. Dehio *und* G. von Bezold. Vol. II. Stuttgart, 1898.

merely a daughter of that of France. A small book on the subject by a recent French writer, M. Corroyer, which has appeared in an English dress,* is pervaded with the notion that British Gothic is nothing but a bad copy of French, and the "Gothic Architecture" of Professor Moore, a book of the highest merit where French work is concerned, deals with English art from much the same standpoint. All the more valuable is the weighty pronouncement of Continental opinion that has lately issued from the press in Germany. The most comprehensive general history of ecclesiastical architecture in Western Europe that has yet appeared, is the "*Kirchliche Baukunst*" of Dehio and von Bezold, and on this important question of origin the authors favor the British view. They write:

"The English school is not like all the Continental schools a branch of the French, but rather a side-stem issuing out of the same root. . . . Regarded as a whole, Early English is an essentially autonomous style. What it owes to French Gothic is only the first impulse. It is true that it does not remain wholly untouched in later times by influences from this side, but they were dealt with in such a strongly national spirit that they left no traces that can be recognized."

It is, accordingly, no mere aberration of patriotic sentiment when we find the English architect Mr. Edward S. Prior, in his "History of Gothic Art in England," exhibiting the Gothic style of his country in process of formation through a series of monuments of the last half of the twelfth century, in which little or no French influence can be discerned. On the whole, he is successful in vindicating the independence of English work, but it is an independence that, from the nature of the case, cannot be absolute. Mr. Prior goes too far when he would free this work from all influences from the Central district of France. The revolution in artistic taste referred to at the beginning of this paper must have depended on some of those deep-seated moral and social influences which underlie artistic movements. Now, there was nothing in the religious or intellectual condition of England in the twelfth century to account for a revolution of the kind. In Central France, on the other hand, there existed at that period every possible condition, intellectual, emotional, social, fitted to supply inspiration to a new artistic movement, and to direct it to such an outcome as it found in Gothic.

*"Gothic Architecture." By Edouard Corroyer. London, Seeley, 1893.

From the scholastic philosophy which had its home in the University of Paris, to the humanity and civic illumination that were embodied at a later date in that representative personality of the Gothic age, St. Louis, the elements at work in the *domaine royal* were making for an art of this special type. It was not only the sagacious technical manipulation of constructive forms by the builders of the earliest Gothic monuments that created the style, but the fact that these new constructive devices were made the artistic expression of a spiritual movement that was already in that region astir. It was because this movement spread outwards from Paris as a centre that Gothic in England, and in other parts of the West, took upon it the same æsthetic character. To this extent the style in question is incontestably a production of Central France, in that it found there, and there only, its spiritual impulse. The constructive and æsthetic factors of Gothic were gathered from many parts, but the soul of the movement by which they were made to act together in the unity of an organized system was French. Like the enthusiasm for the Crusades in the eleventh century, we find now in the twelfth the wave of Gothic inspiration passing from France to England, and without it English Gothic would not have come into being. The two styles represent independent artistic developments that culminated on the one side of the Channel in Salisbury and Wells, on the other in Amiens and Reims; but underlying the artistic developments was a movement of the human mind that began the great awakening which has made modern Europe, and the centre of this movement was Paris.

To establish the historical connection of the French and English Gothic styles is a considerable step towards a just understanding of their relative artistic values. English Gothic has been depreciated on the ground that it was a mere copy of French, and again, in contradictory fashion, blamed for its lack of qualities admired in its supposed prototype. As soon as we regard the two as in a great measure independent, this arbitrary procedure ceases, and each style can be judged on its own merits. Upon these merits there has existed a curious diversity of opinion. The æsthetic qualities of English Gothic are scarcely ever referred to by Continental writers without a note of depreciation, and there is little about it that Mr. Charles Moore finds to praise, save

the transeptal ends, the central towers and a few of the minor features. He tests the work entirely by French; and, *Gallis ipsis gallicior,* rejects all that does not accord with this special standard. But we cannot reasonably condemn English work for falling short of the French ideal, if it was all the time inspired by a distinct ideal of its own. We must strive to enter with sympathy into the spirit of all local developments of the one great artistic movement, and to judge each from its own standpoint. This need not involve indiscriminate praise. We come here to an exaggeration on the other side, which is equally to be deprecated. There is a tendency in Mr. Prior's book to present English Gothic as possessed of all the architectural virtues. It is obvious that he has every desire to be fair, but his English idiosyncrasies involve him in statements and apologies that evince a want of keenness in what may be termed the tectonic sense.

There are two reasons why British and Continental students seldom agree about English Gothic art. One is that they have not always in view the same sets of examples. In Central France the Early Gothic style is represented by the great cathedral churches, and it is upon these that Viollet-le-Duc and his followers in different lands have formed their architectural creed. It is natural that the corresponding English monuments should be selected as, on their side, exhibiting the greatest triumphs of insular art, but this procedure is slightly misleading. Apart altogether from her cathedrals, Great Britain possesses a unique treasure in smaller mediæval buildings, both in the shape of parish churches and in that of subsidiary structures, porches, lady-chapels, chapter-houses, and the like, attached to the larger monuments. It is in these buildings that some of the best qualities of the English style are most in evidence, but they are qualities that require for their due appreciation a certain intimate loving companionship, hardly possible to any but dwellers in the land. The foreign student who takes special note only of the more pretentious edifices too often fails to become acquainted with what is really the flower of English mediæval art, and in consequence to understand the feelings of affection with which it is regarded in its island home.

Another reason is to be found in a characteristic habit of mind of the English in respect to artistic criticism, which goes far to explain why they cannot see eye to eye with their Conti-

nental brethren. With their national genius for compromise, they are satisfied in art with an attractive general impression, and hesitate to apply the severer æsthetic canons. Intolerant, as a rule, of any discussion of principles, or, as they would term it, "theorizing," they put all their strength into the vivid presentment of personal conviction. Architectural judgment is not, however, a matter of individual taste and fancy. Every monumental building has behind it a programme; it was designed to answer to certain human needs, and at the same time to express civic, national, or religious ideals. It is, moreover, put together on a certain constructive system, which prescribes the general character of the forms employed. We have a right to demand accordance with the programme and with the system of construction; and a building out of harmony with these fails to this extent as a work of art. We are justified, too, in interrogating the more decorative parts of a composition as to the relation they bear to the structure. It is not enough if they merely look pleasing on a general view; their character and placing in connection with the whole are in their way just as important. Schnaase remarks that it is the essential problem of the architectural art to secure the reciprocal working of the principles of utility and of beauty. That the beauty of a building should be the outcome of its purpose and its system of construction is a golden sentence, that, like the moral maxims which shone in gilded lettering on the front of the temple at Delphi, should be carved over every architectural *chantier*. All this is signified by the useful term, much used in Germany, "tectonics." Tectonics includes the philosophy of construction in its artistic aspects, with the connection of decoration and structure. Schnaase, who expresses a mild surprise that no recognition of this last principle is to be discerned in the writings of John Ruskin, held that neither the mediæval builders nor the modern critics of England had any due appreciation of these tectonic principles. We may not subscribe to the censure; but there is this amount of truth in it, that the logical clearness and consistency which are such notable qualities in the greater churches of Central France are comparatively little seen in the corresponding insular structures, and are, as a rule, lightly esteemed by English artistic writers.

To take the larger churches first, the difference of the English cathedral from the French is so marked that the idea of affilia-

ting the one to the other seems at first sight absurd. It is a difference in surroundings, in plan, and in general æsthetic effect, as well as in technical construction, and it largely depends on the fact that English cathedral churches, unlike those of France, are the outcome of a monastic tradition. The predominance of this tradition in mediæval England is a result of the early history of the land. Christianity was not introduced into Teutonized Britain until it had become permeated with the monastic idea. The missionary bishops in England were Celtic or Roman monks, and the establishments they made the centres of ecclesiastical life were monastic. Through all the changes of later mediæval times this character clung to the buildings and their surroundings; and the influence of it was so strong that even bishops' churches not served by monks, such as Salisbury or Wells, clothed themselves in a sort of monastic garb and adopted arrangements derived from the conventual system. This historical fact affected the buildings and their adjuncts.

The stranger who enters an old English cathedral city may follow the incoming country-folk to the market-place, and pass thence out to the fields again, without knowing any more of the proximity of a colossal church than is evidenced by the sound of a deep bell that tolls the hours from somewhere away behind the houses. To have to search for the cathedral in its own cathedral city strikes him as anomalous; but at last, along some narrow lane or passage, and through a gate in a wall of enceinte, he penetrates to a spacious grass-grown enclosure planted with trees and encompassed with ancient dwellings. In the midst from the greensward rise the gray minster walls, gathering as they pierce the leafage of embowering trees into towers and spires that catch the sunshine. Nestling under their shadow, and generally mantling the greater portion of one side, are antique structures —here a part in picturesque ruin, there one trimly ordered for modern habitation. All is peaceful, well-arranged and delightful to the eye, but it is a little world within a world, walled in from the contact of men in a sort of aristocratic seclusion.

But the great church of a French or Rhineland or Italian city is in full evidence, in the midst of busy streets, with the tide of life flowing all about it up to its very doors. In the early part of the century, when the older English water-color painters sketched their picturesque masses, the town churches sheltered

the little cabins of the townsfolk, that were often crowded in between their very buttresses. Though they are now for the most part cleared, and stand free, save where joined by palace of bishop or metropolitan, and though new industrial or railway quarters may in recent years have shifted the centres of the densest population, yet they nearly always remain as they were from the very first, at the *foci* of the social life of the place. Wherever an ancient Roman enceinte can be traced, the bishop's church stands almost invariably within it. There the tiny predecessor of the vast cathedral of the Gothic age had been built, or adapted from a secular structure, by the first Christian missionary of the region, long before the religious life had taken the distinctly monastic form it had assumed by the seventh century. There the church has always remained, through successive rebuildings, the place of general resort for the burgesses at large.

This central, open and accessible aspect of the French cathedral prepares us to find the same character exhibited in its plan and arrangement. There is no doubt about its place and manner of entrance. The whole of the western end is composed for the effect of widely spreading portals that invite the throng, while the significant motives of their sculptural enrichment proclaim alike the meaning and the glory of the edifice. Within, the interior is spacious and lofty, offering the aspect of a single hall of oblong shape focussed at the farther end in the sanctuary where a special distinction and beauty in the parts about the altar lend the suggestion of an elaborate and sumptuous ritual. In striking contrast to this simple and emphatic effect, the English cathedral, entered as often as not by a side porch, offers to view a comparatively low but immensely long interior, which is very commonly divided into two portions, sometimes by a solid stone screen carrying an organ, so that it presents the appearance of two churches rather than one. The farther of these two divisions may be found to be a complete church by itself, cruciform in plan, with its own eastern transept independent of the main transept; the nearer division, the nave, serves at times as a sort of vestibule, or is used for service as if it were a separate building.

All these peculiarities of site and plan have a historical foundation. The English cathedral close is the enceinte of the monastery, the cloister often remains, the Dean inherits the old lodging of the Prior, and the members of the modern capitular body are

housed in various portions of the monastic buildings. Canterbury, from the first a monastery of Roman type and metropolitan see in one; Gloucester, monastic till the Reformation, and not till after that a bishop's seat—are good examples of the conventual arrangement; but they hardly exhibit it better than the old secular, that is, non-monastic, foundation at Wells, or the new secular establishment set up on a fresh site in the thirteenth century at Salisbury. Of course, there have been considerable changes in and about many of these buildings between mediæval and modern times; but, as a fact, recent foundations apart, there is only one of the English cathedrals that is situated and surrounded in the central and open fashion normal on the Continent, and this is St. Paul's of London. Nearly all the rest have retained or acquired a distinctly conventual aspect. In respect to plan, the side porches, which in so many of the greater English churches supersede the normal western entrances of the Continent, are not monastic, but are a feature inherited from Saxon days. Forming by themselves interiors ample enough to serve for various purposes, ecclesiastical and secular, they had special functions in the oldest parish churches, from which the fashion of them may have spread to the larger edifices. For the prolonged eastern extension no other explanation is forthcoming than that it is monastic, rendered necessary by the large amount of space within the sanctuary required by the numerous members of a conventual body. While monastic in its *raison d'être,* such an extension was specially favored in England, and appears there for the first time on a large scale in the vast Norman choir of Canterbury, of the end of the eleventh century. It is hard to say why this scheme was adopted in English more than in Continental monastic churches, but it is true that the example of Canterbury was there so extensively followed that an insular stamp was set upon the plans of the greater English churches.

It will be readily admitted that the English cathedral close is one of the most effective bits of mediæval city landscape now surviving in Western Europe, and that the general exterior impression of the cathedral, due largely to the grouping of its towers and spires, corresponds to its beautiful surroundings. It is none the less true that this specializing of the greater English church to fit a particular society within the Christian community, meant its surrender of a good deal of the fine architectural character

which was preserved in the normal type of the bishop's church of the Continent. This type retained the essential features of the earliest form of the building, when it was designed to carry out as simply and directly as possible the programme of the Christian meeting-place. This house of meeting, the so-called "basilica," of the days of Constantine and Theodosius, though a structure of the utmost architectural plainness, was nobly expressive in its spaciousness and its accentuation alike of the entrance and of the sanctuary, where, within the apse, the altar and the bishop's chair, commanding the vast interior down to the doors, made a unity of the whole. To treat the entrance end as a mere decorative screen and ignore its function as the place of congregational access, to lengthen out the interior and divide it so that unity of impression and the dominant position of the altar are lost, imply a break with the Christian tradition and a consequent loss not made up for by added picturesqueness of general effect.

If, in the normal English cathedral, this exaggerated length and this treatment of the western end are inorganic, not the natural, sincere expression of the main function of the structure, in a similar way there is a certain looseness in the relation of the parts and features to the system of construction which contravenes those stricter tectonic principles already noticed. This is not the place in which systems of architectural construction can be fully discussed, but the comparative æsthetics of French and English Gothic churches depend too closely on structural considerations for these to be altogether passed over.

In order to form a general idea of what is implied in the constructive development of Christian architecture, the reader who has visited Beauvais may compare in thought the so-called "*Basse-Œuvre,*" the original nave of the cathedral of the ninth or tenth century, with the thirteenth-century choir which represents the most daring aspiration of the French Gothic genius. From the *Basse-Œuvre* may be judged the effect of the Early Christian meeting-house in a comparatively primitive form. It is a plain rectangular hall with flat continuous wall-spaces pierced below by arched openings giving access to side aisles. There are windows in the upper section of the walls and a wooden roof, while the only architectural feature, the apse (not preserved at Beauvais), comes just where it is needed to emphasize the spot on which the attention of all within the building will be riveted.

The whole after-course of the development of Christian architecture had for its unconscious aim the breaking up of this primitive simplicity and the "membering," to use an ugly but convenient word, of the whole structure, till, as in Beauvais choir, it was minutely subdivided into a series of definitely-shaped parts, organically related, and expressing such relation in their form and details. For this to be completely carried out, it was necessary to get rid of the wooden roof; for, while that remained, the sharp contrast between walls and ceiling broke the harmony. The introduction of stone vaulting in the eleventh and twelfth centuries, by supplying a roof of the same material as the walls, and with its own divisions in close structural relation to the sections or "bays" into which these were already broken up, rendered possible the perfecting of the system aimed at. The introduction of a new constructive element complicated the solution, though without altering its principle. This element is the lateral pressure of the vault, which had to be met by resistance at the flanks instead of merely by a support beneath it, which would have sufficed had the weight pressed simply downwards.

The French Gothic builders of the twelfth and thirteenth centuries, with the logical faculty of their race, made the whole subdivision of their structures depend on the mechanical properties of their stone roofs, and, following these out to their extreme consequences, they evolved from them that special mode of construction which is analyzed fully in Viollet-le-Duc's "*Dictionnaire*" and more recently in Mr. Moore's work on "Gothic Architecture." This furnishes to the general history of tectonics a chapter of fascinating interest, but it is a mistake to extol it as if Gothic architecture depended on this and this alone, while every phase of the art that does not carry this system to like extremes should be struck off the roll as not Gothic at all. The writer last mentioned confines the use of the term "Gothic" to the work of France; construction there is "Gothic"; in England, Germany, and other countries it is only "pointed." Gothic is, of course, a mere name with no intrinsic significance; but it has come to be generally applied to a certain historical phase of the architecture of Western Europe. Is there any good reason for altering this accepted use of language? Mr. Moore's book does not give us one. To dwell exclusively on the one main point of difference between French work and that of the rest of Europe,

its far greater constructive logic, is to put out of sight the many other characteristics of the style in which all the phases of it agree, and at the same time to go dangerously near assigning æsthetic value to what is mere mechanical ingenuity. Between "Gothic" construction and "pointed" there is only a question of degree. The general principle of vaulted construction was not invented by the Gothic builders. Every vaulted interior of the Romanesque epoch is an endeavor to realize this unconsciously preserved ideal of mediæval building, and one of the most successful is to be found in the English Durham. There the divisions and subdivisions are, on the whole, logically maintained, and the eye is led upwards from the floor to the vault with a satisfying assurance of an organic relation of part to part throughout the structure. The wall still maintains its original function as the bounding and sustaining member of the fabric; but it is laterally strengthened by external pilasters and by flying arches beneath the roof of the galleries over the aisles, so as to resist the outward pressure of the ribbed stone vaults that cover every part of the great interior. The system is much simpler, but for the purpose in hand not less efficient, than the French Gothic scheme. In this the wall as such disappears, or, rather, it is divided vertically into sections, and each section is wheeled round till it is at right angles to its original position, becoming the pier which gives off the arches that buttress the vault, the spaces left void being filled in by screens of colored glass.

This scheme, though regarded in some quarters as the perfection of the architectural art, is by no means beyond criticism. The author of "Gothic Architecture" writes of "that wonderful system of flying buttresses that reveals so much of the distinctive character of Gothic art," and he even regrets that it should be concealed by the towers in the western view of the building. For our part, we hold it one of the great advantages of the western towers that they do conceal from sight expedients so forced as the multiplex flying arches, which led Gottfried Semper to compare a Gothic choir like Le Mans to a sick giant with a crowd of satellites about him to hold him up. On the exterior view, the labor seems thrown away, as the eye can detect no constructive necessity for such a complex arrangement of supports. It is true that, when we analyze the whole structure, we see clearly enough that the expedient was adopted in order to secure the in-

terior effect of the building. Height was intended there to be a prominent factor in the impression, and to support a stone vault, at the altitude of those at Amiens or Beauvais, something more, no doubt, was needed than the more simply buttressed walls of Durham. The system of pier and flying arch answered the mechanical demand, and, though in itself artistically objectionable, was accepted as the only means available for securing the immense æsthetic advantage of the lofty interior vault. As such, we also must make the best of it, though there will still remain the practical objection recently noticed by M. Corroyer, who points out that it is unsound building economics to expose so freely to the disintegrating action of the weather the features most essential to the stability of the structure. In some of the finest of the early French Gothic churches there are defects of logic in the way these buttresses are made to work; while in certain interiors, such as Paris and Laon, we find perpetuated the Early Christian solecism of round classical columns instead of piers in the nave arcades, which render it impossible to carry out the strict scheme of the structure by connecting the upper stories obviously with the lower, and bringing the supports of the vault in this way firmly to the ground.

It is well to take note of considerations like these, as they show that even in French work logical consistency is only a relative term; they need not, on the other hand, interfere in our minds with the general æsthetic effect of the monuments. On the whole, the French Gothic interior must be acknowledged as one of the world's greatest triumphs in the building art. With magnificent height and airiness is combined the effect of a reasoned disposition of the parts both structural and ornamental, and the eye is satisfied as with the exterior of a Greek Doric temple or with an Attic vase. The English interior makes no attempt at this effect of loftiness, and accordingly the wall in its normal use remains in Gothic what it was in the earlier Norman, the supporting member of the vault as well as the lateral enclosure. The English work is not nearly so bold nor so æsthetically noble in expression, but on its more modest scale it is as much Gothic as the other. It must not be forgotten also that though the comparative lowness of English buildings deprives them of this glorious internal impressiveness, it acts in the other direction on the exterior view. The manageable height of the main fabric makes it possible to

carry out the towers and spires in their full proportions, whereas in a building like Amiens these would have needed to be of gigantic elevation, and as a matter of fact they were never actually completed. On the composition of the towers and spires depends to a great extent the fine external effect of such English churches as Lincoln or Lichfield or Salisbury, and this must be set down to the credit of the insular scheme of construction.

On the other hand, though English Gothic builders were not bound to carry the mechanical principles of vaulted construction to their logical extremes, they had no justification for treating cavalierly and with something like frivolity the tectonic problems of their art. It was the constant and legitimate ambition of mediæval builders to cover their greater churches with vaults of stone; but, till the later Gothic period, when specially insular forms of the vault came into vogue and even influenced Continental designers, the English constructors were in the main curiously indifferent to the feature, and even fell behind the Scots, who made a much more ready use of the stone roof than the southern English. To the listlessness of the latter in this department is probably due the ultimate triumph in England of the square east end over the apse. It is as likely as not that the determining factor in this elimination of the apse was the reluctance to go to the trouble of vaulting it. The existing Saxon apses are not vaulted, and the great Norman churches of Peterborough and Norwich, that have retained their original circular ends, similarly lack the semi-dome of masonry. It may have been felt that it was better to have no apse at all than one tamely ceiled with wooden planking. As mediæval architecture generally had been working in the direction of the vault, this aloofness of the English puts their buildings out of the main current in construction as well as planning, and is a distinct note of inferiority.

It is in these connections that the dispassionate reader will find Mr. Prior's work least satisfactory. He is disposed to represent each deviation of English design from the main course of constructional and artistic development as a new æsthetic discovery, a fresh flash of genius from the inexhaustible fire of the insular imagination. Just as he accepts a west front that, like Wells, is a mere screen, and not the expression of the purpose and form of the building to which it introduces us, so he is content, not only in Romanesque buildings like Peterborough, but in the more

advanced Gothic, to give up the stone vault, as in Hexham transepts, or to accept contentedly an imitation in wood, as at York. The absence of an organic relation of the vault to the lower part of the structure does not offend him, and he allows it to attach itself in a somewhat inchoate fashion to the upper part of the wall, as at Salisbury. Even the square east end, though it involves the sacrifice of the most beautiful and expressive feature of the Christian interior, he treats in more than one place as if it were really an improvement on the apsidal termination. There is a certain parade of insularity about some of these judgments that does not really help the cause which the writer has at heart. With all the more pleasure will the reader turn to those parts of his book that deal with features of British art for which there can be nothing but praise.

It has been acknowledged that, in some of the more important features of general scheme and construction, the greater English churches are inferior to the corresponding monuments of France. The smaller buildings, on the other hand, possess a charm, a piquancy, that are all their own, and that make them one of the most fascinating studies in the whole history of the arts. It is curious that many of their excellencies are due to a just tectonic instinct, which in small matters guided English craftsmen to the best artistic results, though it failed them at times on the larger scale. The relation of the ornament to the structure is generally beyond reproach, and the æsthetic charm is largely due to the tact by which the different features are allowed, so to say, to interpenetrate without interfering with each other. They are started and stopped in the most unexpected and yet natural fashion; they are sent off and finished with a touch of enrichment in corbel or return, while the carver delights in small variations that break formal symmetry and give a human, personal, look to the whole.

Such a piece of design as the north porch of Wells represents in its crispness and refined though nervous strength an early crystallization of many of the best elements of the English style. How well the plainness of the pointed arcade of the sedilia below sets off the delicate richness of the foliage caps and intersecting mouldings of the upper arcade! The chevron ornament and the square abacus link the work with the older Romanesque, but what a reaction against the soft rotundity of the profuse late Norman forms is there in the slender clustered shafts, the deep-cut

hollows, the sharp-edged fillets. The foliage still shows the crockets exercising their function of supporting in classical fashion the corners of the abacus, but here and there they break away in looser curls, and do their work with a kind of mirthful waywardness that fills the little hall with life. In the carving a few grotesque animal forms survive from earlier art, and in another part of the porch there are dainty Gothic figures—a St. Sebastian on one cap, with archers on caps to right and left shooting at him. This enrichment of figure, animal and foliage motives relieves the severe parallelism of the shafts and mouldings, and supplies to the composition the element of freedom and of play.

The charm of English mediæval art is, however, felt most perfectly in the country churches, which were essentially domestic institutions, corresponding to the needs and the ideals of the people at large. There may be something chilling in the gates and battlements that guard the access to the once monastic cathedral, but the village church, though in most cases aristocratic in its origin, has always been associated with the daily life of the rural population.

This intimate connection of the village shrine with the common life of the locality was emphasized at every epoch and in every possible form of art. The amount of architectural pretension in the building was, to begin with, in just accordance with its size and character. Some of the smaller buildings with which we are now dealing are adjuncts to the greater edifices, as were lady-chapels and chapter-houses, and these are commonly stone-vaulted in correspondence with the monumental character of the cathedral or abbey church; but the parish churches are very rarely covered with vaults of stone. Are not the wooden roofs, it may be asked, a stamp of inferiority, when we compare the English churches with those of a similar class in France, where, as Professor Freeman remarks, the stone vault is common and "a wooden roof, wherever there is one, is a mere shift"? There are considerations which put the matter in another light. If we turn for a moment from Gothic to classical architecture, we note that certain small temples, like that of Niké Apteros by the ascent to the Acropolis at Athens, are without the outer ring of columns which is normal in the greater buildings. In a monument like the Parthenon, this peripteral colonnade is the main feature of architectural effect and could on no account be spared. When the scale of the structure, however, was considerably reduced, the

outer ring of columns was omitted, and by this simplification of the forms any look of *petitesse* was avoided. A structure fully equipped in all its parts, but with all these far below the normal size, would look toylike, and this the Greeks would not tolerate. So, too, a cathedral, similarly reduced without modification of forms, is open to the same objection. The writer last quoted remarks of the smaller churches of France that they commonly (not always) reproduce the minster on a small scale. This is not what is wanted in a village church, which should rather wear a domestic every-day aspect. It is to be noted that English examples that are too elaborate in structure or in plan, like the famous Patrington in Yorkshire, seem a little out of harmony with the programme of this class of building.

The unpretending fabric in its more typical forms, as we find it in thousands of instances in the English counties, has a way of blossoming out into unexpected devices of structure and sudden bursts of ornament, that are an inexhaustible source of delight to the artistic eye. The fittings and furniture, with which in pre-Reformation days the buildings were filled, have, of course, only come down to us in small fragments, but the work in them is so varied, and weds so cunningly the useful with the lovely, that it is at once the delight and the despair of the modern decorative designer. It is hardly an exaggeration to say that there is scarcely an old church, in all the districts of England, that has not in or about it some unique feature, some peculiarity of construction, fitting, or enrichment, which will not easily be found elsewhere. The beautiful fragments of this artistic craftsmanship are so numerous and have to be sought so far afield that justice has never yet been done to the subject in critical writings. Mr. Prior, when he takes leave of his readers, has no more effective *envoi* than to point to the village churches of England and indicate the extent and interest of the artistic material they enshrine. We cannot do better than terminate this article with a sentence from his volume:

"The varying applications of this art in the solid, homely sense of English life can be read in the make of our parish churches; and so we ought to study them, countryside by countryside, noting their fancies and their shifts, their love and their simplicity, and praising the fathers that begat us."

G. Baldwin Brown.

ITALY'S ATTITUDE TOWARD HER EMIGRANTS.

BY DR. GUSTAVO TOSTI, ACTING CONSUL-GENERAL OF ITALY IN NEW YORK.

I.

THE recently published report of the Commissioner-General of Immigration has given renewed impetus to the discussion, which has of late engaged public attention, of the question how to deal with foreign immigration. It may be fairly assumed that Mr. Sargent's report will, by its general trend and through certain statements it contains, afford a strong argument to those who still advocate a restrictive policy, in order to lessen the evils resulting to this country from the constant influx of certain specific foreign elements, which seem particularly obnoxious to the cultivated American of the day. I do not propose, nor have I any authority, to enter into the general discussion of the immigration problem. That is a question which concerns the American nation, and it would be entirely out of my province to express any opinion on the subject, in my official capacity as representative of the Italian Government in New York City. But there is one important aspect of Mr. Sargent's remarkable argument which seems properly to call for a word of explanation on my part. I refer to the chapters on "Inducements to Immigration" and "Naturalization and Distribution," on pages 43 and 44 of the report. Mr. Sargent contends (p. 44) that "one at least of the reasons for the existence of alien colonies in the United States," which is "the cause of the chief dangers to be apprehended from the enormous immigration of aliens," is that certain foreign governments are actively engaged in trying (p. 43):

"to colonize their subjects who come to this country for the purpose of maintaining in them a love of their mother country. This was accomplished through agents of the home government and church sent here to

keep them from imbibing a knowledge of, and affection for, the institutions of the United States, which might, and probably would, result in their purchase of homes here and final expatriation from their own country. That result meant a permanent loss to those countries of the allegiance and usefulness of such of their subjects as adopt our views and become American citizens, as well as loss of the enormous aggregate revenue sent back annually by those who cherish the intent of ultimately returning, buying homes and living on the proceeds of their savings."

He says further on (p. 45):

"Those foreign countries where the labors of the ever-active transportation agent have been most effective in diminishing native population have become alarmed, and have made futile attempts to check an exodus which threatens to seriously impair their self-supporting capacity. Failing in this, they have taken the next possible step, that of minimizing the evil, and, if possible, of turning it to their advantage in the long run. Hence all the political and social, and occasionally the religious, resources of these countries are being directed to one end—to *maintain colonies of their own people in this country,* instructing them through various channels to maintain their allegiance to the countries of their birth, to transmit their earnings here to the fatherland for the purchase of ultimate homes there, and *to avoid all intercourse with the people of this country that would tend to the permanent adoption of American ideals.*"*

These charges, as an able student of the problem remarks, "are serious indeed and cannot be too plainly substantiated, if made at all."† As to the countries concerned, we are logically brought to the conclusion that they are two: Austria-Hungary and Italy. In fact, as the same critic remarks, "the countries of northwestern Europe are not in question, as immigration from them is light, and there are no dense colonies of their people to hold together. Russia is so situated toward her immigration that she could not, if she would, influence them sufficiently to hold them in colonies. There are left then, Austria-Hungary and Italy."

An additional proof that Italy is really involved in Mr. Sargent's charges is that, on page 45 of his interesting report, he mentions, among the evils resulting from the tremendous increase and racial character of foreign immigration, "the introduction into this free country of such hideous and terrifying fruits of long-continued oppression as the mafia, the vendetta, black

* The italics are mine.—G. T.

† Kate Holladay Claghorn, "Immigration for 1904," in "Charities," February 4th, 1905, p. 455.

hand. . . ." This reference to the mafia, etc., obviously suffices to show that the Italian Government is one of those which, in the mind of the Commissioner-General, pursue the line of policy deprecated by him.

II.

First of all, it behooves us to correct an erroneous impression, which seems to dominate in certain quarters, as to the scope and meaning of the Italian Emigration Law, of January 31st, 1901. There is no provision in that law which might, with any fairness, be construed as an attempt to exploit emigration by turning it to the advantage of the mother country. The law accepts the fact of emigration as something determined by causes which are deeply rooted in the social and economic conditions of the country, and which are entirely beyond the reach of empirical measures, directed to favor or to restrict the exodus. The law merely proposes to solve a problem which is specifically forced upon the Italian Government, *i. e.*, the problem of insuring the most efficient protection to the emigrant against all possible wrongs and abuses. It is primarily and fundamentally a *social* law, that is, a law destined to serve the ends of *social* justice by affording an instrument of defence to those classes which are unable to protect themselves against the various forms of social parasitism.

That it never was the intention of the law to favor emigration is conclusively shown by Section 17, through which "Carriers"—*i. e.* Steamship Companies and their representatives—"are forbidden to persuade people to emigrate." The same section of the law specifically recalls a provision of the Penal Code by which inducement to emigration, based on the circulation of news and statements concerning alleged conditions abroad, is considered a misdemeanor and punished accordingly. This section of the law is supplemented by Section 31, by which a fine of 1,000 lire is imposed upon the Carrier (Steamship Company) who "shall introduce between himself and the emigrant any middleman who shall not be his own representative." The same penalty is by the same section of the law imposed upon the "Carrier," or his representative, "who shall pass off as spontaneous emigrants, having paid their own passage, any parties who shall in fact travel at the expense, total or partial, of any foreign government or private enterprise," such fine to be increased to 2,000 lire in case of recurrence. It is clear that the law has aimed at elimi-

nating the possibility of any artificial attempt to favor or facilitate emigration. Under the above-mentioned provisions of our law, it is difficult to conceive the possibility of the abuses denounced in the report of the Commissioner-General, through which "violations of our [American] laws, particularly of those that are directed against aliens under agreement to work here, continuously occur" (p. 43). The business of inducing emigration to this or to any other country is considered an illegal one in Italy; and, therefore, the statement that "certain foreign countries are actively engaged in it" cannot possibly apply to Italy.

The above-mentioned provisions against any form of soliciting in connection with emigration are completed by others concerning the emigration of women and children. Section 2 forbids the emigration of children under fifteen years of age, unless they have undergone a medical examination and have been granted a special permission by the local authorities, in accordance with the provisions of the Children's Employment Act. Section 3 punishes with imprisonment at hard labor up to six months, and a fine from 100 to 500 lire, "any one who shall enlist, or receive in his care in the kingdom, one or more children under fifteen years of age, with a view to employing them abroad," in unhealthy and harmful occupations. The same penalty applies to those "who send abroad, or deliver to third parties to be taken abroad, children under fifteen years of age with a view to employing them as above." In such cases, the father or guardian shall be deprived of his powers. The same penalties apply to "any one who shall induce a woman not of age to emigrate with a view to prostituting her." That the law never aimed at facilitating the dumping of paupers in foreign countries is proven by section 25, by which provision is made for the return home of indigent Italians, at the expense of the Steamship Companies, and at the rate of 10 adults per 1,000 tons register, and one for every further 200 tons or fractional 200 tons above 1,000.

But, apart from the above considerations, the mere reading of the headings of the law suffices to show that its sole aim is to assist the emigrant during the voyage, and see that he be well taken care of by the Steamship Company.

Previous to the passing of our law, emigrants were piled up like cattle in unsanitary conditions, on board of steamers which very often left much to be desired in point of safety, comfort and

decency. It was our plain duty to care in that way for the hundreds of thousands of our countrymen who go abroad to work. The following is the list of the Chapters of the By-Laws issued for the enforcement of the Emigration Act:

Part I.—Emigration in general.
Part II.—The Emigration Service.
Part III.—Carriers and Emigrants.
Part IV.—Transportation of Emigrants.
1.—Seaworthiness, speed and equipment of emigrant steamers.
2.—Internal organization of steamers.
3.—Sanitary service on board.
4.—Supply and distribution of victuals.
5.—Examination of steamers.
6.—Examination of emigrants previous to their sailing.
7.—Supervision on board.
8.—Special provisions.
Part V.—Emigration fund.
Part VI.—General provisions for the enforcement of the Law.

This shows plainly that, aside from a few sections, dealing with the general question of emigration or with the organization of the emigration service, the bulk of the regulations concerns the condition of emigrants during their voyage.

III.

Mr. Sargent calls attention to the congestion of emigrants in the cities and the existence of alien colonies, which are by him assumed to be largely due to the action of the foreign Governments concerned. As to Italy, it suffices to recall that, as far back as December, 1901—that is, at the time when the great influx of Italian immigration was beginning to take place—I published a paper, in the "Monthly Bulletin" of the Italian Chamber of Commerce of New York, calling attention to the dangers resulting from the overcrowding of our immigrants in the city tenements under unhealthy surroundings. In that article, I advocated strongly the formation of a powerful Land Corporation for the purpose of favoring the agricultural distribution of our immigrants. My article was reproduced in some of the leading newspapers and magazines in Italy. It was followed in May, 1904, by another article published in the Italian number of "Charities," over my official signature. In the latter ("The Agricultural Possibilities of Italian Immigration"), I took up again the

subject of urban congestion, emphasizing the necessity of organizing agricultural Italian colonies in the Southern States, where conditions, climatic and others, seemed to be most favorable. On December 29th last, I published a long article in one of the leading Italian newspapers of this city, "*L'Araldo Italiano*," discussing at length the same question, and again concluding in favor of a wider distribution of our immigrants in the agricultural districts. In this article, as also in a number of public speeches, delivered on various occasions, I advocated, in unmistakable terms, the Americanization of our immigrants, strongly opposing the constitution of "alien" colonies, such as those which Mr. Sargent justly deprecates. Perhaps it may not be amiss to reproduce certain statements contained in the last-named publication, which are of a nature to show exactly the trend of thought dominating the action of the official representatives of Italy in this country. I wrote in part:

"The transformation of our immigrants into owners of land is sometimes opposed on the ground that it would gradually lead to their denationalization. We are thus confronted by a sort of nationalistic obsession. . . . It is evident that the more active the participation of our immigrants in the life of their adopted country, political and otherwise, the wider will be the field of action offered them. The alien colony is bound to be hampered by unavoidable limitations in its possibilities of life and action. In a group materially separated from the country of origin, and yet kept deliberately apart from any intimate contact with the country of adoption, all the originary racial deficiencies cannot but be intensified through the action of a well-known psychological law. The colonialistic conception ends in an imitation or caricature of the type of civilization represented by the mother country. And against this form of nationalism, narrow-minded, intolerant and fanatic, we cannot protest with sufficient energy in the interest of our emigration. The conception of enforced exoticism must be replaced by that of a free and unhampered fusion of the immigrant with the indigenous element."

IV.

On the evidence thus submitted, it is difficult not to see that the efforts of the official representative of Italy in New York—that is, in the most important place of landing of our immigrants,—have been persistently and systematically directed toward the attainment of the very ends which the Commissioner-General has in view. The agricultural distribution of the newcomers, the gradual and natural disintegration of the so-called "alien"

colonies and the blending of their members with the communities in which they have established their new home, such are the corner-stones of a programme which has been asserted on every occasion and with every means at our disposal. It is hardly necessary to point out that this line of action was in perfect harmony with the general policy pursued by the Italian Government concerning the immigration problem. A most striking proof of this is afforded by the fact that, when Signor Adolfo Rossi, a member of the Italian Department of Emigration, was sent here last winter to make a thorough study of the question, the first object to which his attention was directed by his Government was the overcrowding of immigrants in the cities, and the means to favor their agricultural distribution. If the central idea of our law is to leave emigration entirely free from any attempt at artificial inflation, and merely to perform in regard to the individual emigrant certain specific duties of help and assistance, the central idea of our policy concerning the Italian emigration to this country must necessarily be to let the assimilation of our immigrants go on unhampered. By pursuing that policy, we will assist our immigration in becoming an active factor in the life of this great country.

GUSTAVO TOSTI.

AN ANCIENT READING OF FINGER-PRINTS.

BY LOUIS ROBINSON, M.D.

SINCE Francis Galton published his classic work on Finger-Prints in 1892, every one has become more or less familiar with the curious scroll-like patterns made by covering the front surface of the fingers with printer's ink and then pressing them on paper. At the present time they are attracting a great deal of attention among the police authorities, all over the world, as a means of establishing personal identity beyond dispute. In fact, this branch of anthropological study may be said, for the time being, to have passed out of the hands of men of science into those of the investigators of crime.

I hope, however, in the ensuing pages, to show that Science has not said her last word about finger-prints: and, moreover, that inferences bearing on the psychic side of human nature are to be drawn from a close scrutiny of their curved linear markings quite other than those grossly practical inferences drawn by the gaoler and the detective.

Galton aptly compares the tiny ridges upon the fingers, which reveal themselves in the prints, to ripples left upon the sand by wind or running-water. He gives a most exhaustive analysis of their arrangement, and proves that they are permanent throughout life. His technical instructions as to the best method of obtaining the prints appear to be equally exhaustive; for, in giving the composition of various inks which may be employed for the purpose, he includes one made use of by the present writer when recording a newly born infant's footprints with such materials as he chanced to find in a pauper's tenement at midnight, viz., lamp-soot, ink, soap, and syrup. But, in discussing the true natural history of the minute ridges upon the fingers, Galton goes no further than did the first physiologist of note who drew

attention to their presence. This was Dr. Nehemiah Grew, an almost forgotten worthy, who gave an account of his observations in a paper read before The Royal Society in the year 1684. Oddly enough, Galton, whose paper on "Patterns in Thumb and Finger Marks" came before the same august body just 207 years later, appears never to have heard of the observations of Nehemiah Grew, which are still to be found in the Society's Proceedings. At any rate, in tracing the history of finger-study, Galton goes back no further than Purkenje, of Breslau, whose thesis dealing with the minute patterns on the fingers was published in 1823.

Nehemiah Grew, who was the son of Obadiah Grew, an eminent Puritan divine, was elected Secretary of the Royal Society in 1671, and probably held that coveted position at the time when the essay above alluded to was read. He was by no means the least notable of that band of eager students of science, who made the reign of King Charles II almost as much a time of scientific awakening as the Italian Renaissance was a time of artistic awakening. Probably, the discoveries of the illustrious William Harvey, who first revealed the truth as to the circulation of the blood, had a great deal to do with arousing this new interest in the wonders of nature. Nehemiah Grew was born in 1641, a few months before Sir Isaac Newton, and among his contemporaries were Harvey; Leuwenhoek, the pioneer with the microscope; Edward Tyson, who first dissected a chimpanzee, and published his results under the title, "The Anatomie of a Pygmie"; Sir Hans Sloane; Leibnitz; Halley the astronomer; Dr. Sydenham, one of the greatest reformers in Medicine; and Sir Thomas Browne, the gentle philosopher of Norwich, whose words quoted from the "Religio Medici,"

> "Search where thou wilt, and let thy Wisdom go,
> To ransom Truth, e'en to the Abyss below.
> Rally the scattered causes, and the line
> Which Nature twists be able to untwine,"

give admirable proof that the true scientific spirit animated the men of this seventeenth-century renaissance.

Nehemiah Grew, in his paper "On the Pores in the Skin of the Hands and Feet," says:

> "If any one will but take the pains, with an indifferent glass, to survey the palms of his hands, very well washed with a ball, he may

perceive innumerable little ridges, of equal size and distance, and everywhere running parallel to each other. And especially on the ends and first joints of the fingers and thumb, on the top of the ball, and near the root of the thumb a little above the wrist. In all which places, they are very regularly disposed into spherical triangles and ellipses. On these ridges stand the pores, all in even rows, and of such a magnitude as to be visible to a good eye without a glass. But, being viewed with one, every pore looks like a little fountain, and the sweat may be seen to stand therein as clear as rock-water, and as often as it is wiped off, to spring up within them again.

"What Nature intends in the position of these ridges is, that they may the better suit with the use and motion of the hand. . . . On the ridges, the pores are very providently placed, and not in the furrows which lie between them: that so their structure might be the stronger, and less liable to be depraved by compression. . . . For the same reason, the pores are also very large, that they may still be the better preserved, though the skin be ever so much compressed and condensed by the constant use and labor of the hand."

This quaint and graphic description (which, by the way, gives us a rather startling insight as to the average state of cleanliness among *savants* during that godly age, seeing that the details of the skin were presumed to remain invisible until the hands had been "very well washed with a ball") may enable us to read new meanings in finger-prints when subjected to a close scrutiny.

When magnified three or four diameters, the lines are found to bear a curious resemblance to blurred lines of print. This is owing to the fact that the cuplike pores, to which Dr. Nehemiah Grew draws attention, almost break the continuity of the lines, giving them somewhat the appearance of a series of letters and words which have partly run together.

It will be seen that he accounts for the existence of the minute ridges by reference to the protection which these give to the openings of the sweat-glands. Galton seems to have arrived at almost the same conclusion, for he says:

"The uses of the ridges are primarily, as I suppose, to raise the mouths of the ducts, so that the excretions which they pour out may the more easily be got rid of; and, also, in some obscure way, to assist the sense of touch."

Galton also draws attention to the fact, that the ridges show most upon hands subjected to friction. They are, in fact, much more pronounced in the horny-handed "knight of labor" than in those lighter-fingered "*chevaliers d'industrie*" in whose finger-

marks certain official students of Galton's new science take such a strenuous interest. Now, this fact, together with certain others to which attention was drawn by Galton—viz., that the ridges are very prominent on the hands of all apes, and also upon the naked under surface of the prehensile tails of South-American monkeys —should suffice to afford a simpler and more correct explanation of their primary use and origin. That the ridges appear most plainly where the skin is thickened by use is *prima facie* evidence that they are needed more in such spots than elsewhere.

We have continually to go back to the arboreal stage of man's existence in order to account for certain peculiarities in his anatomical structure; and, when the peculiarity in question is one which he still shares with the apes, strong proofs exist that it was evolved to meet the needs of a life among the high branches. Now, it is somewhat strange that, among the reasons given by learned physiologists for the existence of the filelike ridges on the hands and fingers, their very obvious use in giving a better grip seems to have been ignored. That such was their chief function during man's early history there can be very little doubt, for, although, as Galton suggests, they may also aid in giving a discriminating sense of touch, this appears quite insufficient to account for their distribution. Nor is such a function obsolete at the present day. Any one who has had his finger-ends temporarily worn smooth (as by rubbing with pumice-stone) knows how much their power of holding small and slippery objects, such as needles and fine scientific instruments, is decreased. In fact, the system of serried ridges on the hand gives us a security of hold such as does the artificial roughening on the haft of a knife.

Moreover, it is not difficult to show that both the presence of the sweat-glands and their position on the ridges are exactly calculated to secure a like end. Their main function becomes obvious enough when one considers the sudden demand for (and supply of) adventitious moisture shown by every workman when he wishes to get a good grip of his tools. It is noteworthy that the perspiration from the palms of the hands and the soles of the feet is quite free from that greasy element which characterizes the exudations of the skin glands over the rest of the body. It is, as Dr. Nehemiah Grew pointed out, "as clear as rock-water."

Now let us consider in what way moistening the hands tends

to increase their grip. It immediately calls to the aid of the flexor muscles one of the great forces of nature, viz., the pressure of the atmosphere. Every one knows the clinging power of a piece of wet rubber or leather tightly pressed against some smooth surface. Among the lower orders of creatures, especially among the aquatic molluscs, this aid in maintaining a hold is secured by various elaborate means. Among insects it is very common, but appears to be enhanced in some cases by a sticky exudation from the feet. Some of the lower vertebrates, such as tree-frogs and gecko lizards, have little suckers upon their finger-tips, and can walk up a pane of glass almost as well as a fly. Among mammals, such a gift is rare, although several of the lemuroid group possess it to a certain extent.

Marvellous to relate, one of the most flylike among the higher mammals in this respect appears to be the hippopotamus, the soles of whose feet, at birth, are soft and cuplike, thus enabling the little creature to cling securely by "suction" to the smooth, wet surface of its dam's back, as she plunges about in the African rivers.

It is plain, of course, that in the human hand atmospheric pressure can be nothing like so effective as in the case of the holding organs of any of these creatures. The very ridges themselves, with their intervening valleys, would prevent a total exclusion of the air. But for this apparent defect there is a very good reason. Not only does the hand of a man, or ape, require to grip tightly; it must also let go quickly. Otherwise, among our humble relations who live in the trees, rapid movements from branch to branch would be impossible. In fact, it appears to be a general rule that all true sucker-footed creatures (insects excepted) are sluggish and deliberate in their movements, because it takes time to readmit the air and so release the limb.

A simian or human hand, when wet, and closely applied to a moderately smooth surface, must be regarded as a multitude of tiny suckers rather than one large one. It gains the advantage of atmospheric pressure chiefly on the flattened-out ridges, with their myriads of minute cuplike pores (each of which, being wet with perspiration, is a perfect little sucker), while the gripping muscles are in strong action. The moment these relax, the air finds its way back again along the intervening furrows, so that the hand can be moved without the least difficulty.

Confining our attention for the moment to apes and monkeys—whose palmar and plantar ridges are covered with sweat-pores exactly like our own—let us consider whether there is any special provision for meeting those emergencies when a secure grip is of supreme importance. Now, it appears to be an almost universal rule among wild creatures that rapid and violent movements are never made except under the influence of excitement. Among predatory animals, it may be the excitement of pursuit; but, in the case of the great majority, fear is the chief cause of rapid movements. An apparent exception exists in the case of young creatures at play; but, even here, the emotions are usually deeply stirred, for a child playing at hide-and-seek will await capture with beating heart and trembling limbs.

Now, in all works on the expression of the emotions, the fact is pointed out that sweat breaks out freely on the skin under the influence of extreme fear. But neither Darwin, nor any other writer whom I have consulted, alludes to the well-known fact that, in certain milder phases of this emotion, it is *the hands and feet* which perspire, while the rest of the body remains comparatively unaffected. It is plain that, since a wet hand gives a safer hold than a dry one, any terror-stricken ape in danger of falling from the trees would gain by this automatic association between the palmar sweat-glands and the emotion of fear. Here let me suggest that our curious inbred fear of falling, and also those "falling dreams" which every one experiences, may be relics of those times when a fall (in the physical sense) was the chief danger which threatened our remote ancestors—a danger which had to be guarded against by unremitting vigilance. Most people on seeing some one who seems to be in danger of falling—such as a workman at the edge of a high roof or scaffold—feel a tingling and moisture of the palms and soles, together with a tendency for the fingers and toes to curl downwards, as if trying to secure a firm hold. That the higher apes manifest a kindred sympathy for a fellow creature in like peril, I learned some years ago, when studying the ways of a young chimpanzee exhibited at the Westminster Aquarium. While a trapeze performance was going on, the little creature watched the daring evolutions of the gymnasts with anxious eyes and clutching fingers, and its agitation became painfully intense when one performer (a girl) ascended to the high roof and dived head foremost into a net. I repeatedly

noticed that its hands were wet with perspiration when excited in this way, but did not at the time discern the meaning of the phenomenon. As the performer dropped out of sight of the ape (which was behind a screen), before one heard the "smack" of her contact with the canvas-covered net, the nebulous mind of the sympathetic little beast probably interpreted the last act as a fearful tragedy. At any rate, there was evidence that it had an intuitive knowledge of the danger accompanying a fall from a height, otherwise one cannot account for the real agitation and distress which it exhibited.

Now, there can be no doubt that, when we are considering the nervous mechanism of emotion, we must go very far back indeed in our ancestral history to account for commonly observed facts. Although civilization has made our lives infinitely complex, and although the hopes and fears which now most deeply move us are such as no brute could ever dream of, the physical accompaniments and consequences of our emotions to-day are almost precisely the same as when those emotions were only evoked by brute instincts. Practically, nothing has been added to the machinery of the emotions since our forefathers loved, or fought, or fled, among the inaccessible tree-tops.

Falling from a height has long ceased to be one of the deadly and constant dangers that threaten us. We are mainly dependent now, not upon our power to hold on to the branches in time of danger, but upon our power of holding our own with our fellow men. It is for this reason that people will sacrifice comfort and health, and will pour out money like water, for the sake of maintaining, or adding to, their social status. Hence a new "falling" terror has seized us, which is almost as dominant as the old. Darwin has pointed out that a social slip, although no more than a mere youthful *gaucherie,* or some trivial neglect of etiquette, which may bring us under the contempt of our fellows, awakens the emotion of shame far more than a serious transgression against the laws of ethics.

Now, what is the almost universal characteristic of the shy or timorous person who habitually feels himself walking in perilous places in society, and is conscious of being in imminent danger of making some slip of this kind? Is it not a damp hand?

Let me call as a witness that eminent expert on Average

Human Nature, Mr. Dooley of Chicago. In his narrative as to his first (and last) appearance as an orator he says: "But somehow, Hinnissy, th' minyit I looked down on what Hogan calls th' sea iv upturned faces dhrinkin', I began to feel onaisy. . . . I felt quare. . . . *I noticed that me hands were moist.*" Now, keen as is Mr. Dooley's mind in piercing to the bed-rock of things through any amount of the detritus of over-civilization, I doubt whether he realized that, on this occasion, he was guarding against an impending fall from greatness by invoking the weight of the earth's atmosphere.

Could there be a more striking example of the illimitable conservatism of Nature, and of the archaic machinery still at work within our bodies? Dame Nature has, apparently, not yet got used to the fact that we have come down from the trees and adopted newfangled terrestrial habits: for, when we feel bashful, or are moving in slippery places in "high society," or are otherwise in dread or distress, because—like Mr. Dooley when before the "Archey Road Improvement Comity,"—we seem threatened with a social downfall, she at once, with unfailing benevolence, meets the case by providing us with moist hands. Having thus done her part in getting her children out of a fix when in imminent danger of falling, she lets us alone to regain "harmony with our environment"—by the help of atmospheric pressure!

This I take to be one of the curious ancient readings which are to be found (partly, no doubt, "between the lines") in finger-prints.

LOUIS ROBINSON.

THE JURIDICAL NATURE OF THE RELATIONS BETWEEN AUSTRIA AND HUNGARY.*

BY COUNT APPONYI.

It is a fundamental, yet common, mistake to regard the Austrian Empire as comprising Hungary as a constituent part of it, and to consider Hungarian independence as a sort of provincial autonomy, conceded to that "turbulent province" by the central power of the Empire. The truth is the very opposite of this; the primal fact is an independent kingdom of Hungary, which has allied itself for certain purposes and under certain conditions to the equally independent and distinct empire of Austria, by an act of sovereign free will, without having ever abdicated the smallest particle of its sovereignty as an independent nation, though it has consented to exercise a small part of its Governmental functions through executive organs common with Austria. That Austrian Empire which is supposed to include Hungary has no existence, except in false theory and in former oppressive practice; in public law it always was, and now in fact is, a nonentity.

The following facts indicate how the connection between Hungary and Austria was brought about and shaped. That connection began in 1526, when Ferdinand of Austria was elected King of Hungary, under the express condition, accepted by him and his successors, that the independence of the Hungarian kingdom should remain unimpaired. But the connection took shape and a tie was formed between the two countries only in 1723, when hereditary right to the Hungarian throne was conferred on the Austrian house by the well-known "Pragmatic Sanction" which was embodied in the Hungarian laws I and II of the same year.

* Substance of an address delivered at the Arts and Science Congress held at St. Louis.

The enactments of these laws may be thus summed up and analyzed:

1. Hereditary right to reign over Hungary is conferred on the male and female descendants of the Kings Leopold I, Joseph I, and Charles III, in conformity with the law of primogeniture already in vogue in the Austrian domains, to the effect that, as long as the above-mentioned lineage lasts, the same physical person must infallibly reign in both countries, Hungary and Austria, with no legal possibility of division. The other collateral branches of the Austrian house have no right to succession in Hungary, though they may be possessed of it in Austria.

2. Notwithstanding that personal union, the independence of the Hungarian crown and the old liberties of the kingdom are solemnly recognized and reasserted.

3. When the above-described lineage shall become extinct, Hungary will use again her ancient right of free election to the throne, irrespective of what Austria, or any part of Austria, may choose to do in that emergency.

4. As long as this lineage lasts and the same physical person reigns in both countries, Hungary and Austria are bound to assist each other against foreign aggression.

On analyzing this fundamental transaction we must take note of its contents and of its form.

In the contents there is nothing to take away any particle of Hungary's independence and national sovereignty. A personal tie is formed, it is true, with another country; I call it "personal" because it lasts only as long as a certain set of persons, a certain lineage, exists, and becomes *ipso facto* severed whenever those persons disappear. But that personal tie, the identity of the ruler, does not affect the juridical independence of the country, because that identity exists only with respect to the physical person, while the personality of the King of Hungary remains quite as distinct in public law from the personality of the Austrian ruler as it had been before; as King of Hungary that monarch wields his prerogative, checked and controlled by the nation; as ruler in Austria he wields—or wielded at that time—a power almost absolute, grown of a combination of feudal and Roman law, both unknown in Hungary. To that personal tie, a solemn league and covenant was added, a mutual obligation to assist each other against foreign aggression. Is there anything in the nature

of such a covenant which should, of necessity, impair the independence of the nations who are parties to it? The answer to that depends wholly on the form of the transaction, on the sources from which it derives its binding character, on the forces which insure its execution. Had that obligation for mutual defence been laid upon Hungary by a power outside her own public powers and superior to them, or should there be any sort of such superior legal organization able to enforce its execution against Hungary's free will or to interpret its meaning in a way binding upon her, then, indeed, Hungary would be no more a sovereign nation. But of all this there is not even a trace. Hungary entered that compact of mutual defence by an act of her sovereign will, *and its execution as well as its interpretation*—let me emphasize this point, because it absolutely settles the question—*depends entirely on her good faith and on her discretion.* Neither before, nor in, nor after the solemn transaction called the "Pragmatic Sanction" will anybody be able to discover even the trace of any power superior to the public powers of Hungary, entitled to control her, able to force on her what she does not choose to accept or to do. Now, this way of forming and of keeping compacts with another nation exactly answers to the idea of national sovereignty. We shall see later on that these characteristic features of the legal status of Hungary suffered no alteration whatever through more recent transactions.

A certain confusion has been caused by the title of "Emperor of Austria." Many people think that this imperial title extends over all His Majesty's domains, Hungary included, and that it represents a collective sovereignty superior to that of the Hungarian Crown. The corresponding territorial idea is that of an Austrian Empire, including Hungary.* Now, these conceptions are absolutely false. The new imperial title has nothing whatever to do with Hungary, it has legal existence only with respect to those other domains which, from that date, can be properly

* The Empire of Austria is composed of seventeen States, each of which has its own local Legislature, and also Representatives in the Imperial Parliament at Vienna. The total area of the Empire is 115,903 square miles (Arizona has 112,920 square miles), and the population in 1900 was 26,150,597. Hungary has its own Parliament, has no Representatives in the Austrian Parliament, contains 125,039 square miles (New Mexico has 122,460 square miles), and in 1900 the population was 19,207,103. Hungary is larger in area than the Austrian Empire, but has not quite so large a population.

called "Austria"—to the exclusion of the Kingdom of Hungary. As ruler of those other domains, His Majesty may call himself whatever he pleases; but in Hungary he is merely King. It is quite as absurd to think of the Emperor of Austria as ruler of Hungary as it would be to fancy the King of Hungary as reigning in Austria. To our public law, the Emperor of Austria is a foreign sovereign.

We next have to inquire whether the celebrated compromise of 1867 has in any way altered the legal status of Hungary, or taken away any particle of Hungary's juridical independence? This question is to be emphatically negatived.

The celebrated transaction called the "Compromise of 1867" is embodied in Law XII of that year. In its first (declaratory) part, this law fixes again the meaning of the Pragmatic Sanction, emphasizing its two principles: our sovereign national independence, and the mutual obligation to mutual defence with Austria. Then it proceeds to state that the fact of Austria's having been endowed with a constitution, which gives to her people a right of controlling their government, makes some new provision necessary in those branches of administration which bear direct relation to mutual defence, and in which it is, therefore, highly desirable that the joint action of both countries should be unfailingly secured. To that end, the two great agencies of national defence—foreign affairs and war-administration—are to a certain extent declared common affairs, but in the executive sphere only, where action originates. Legislation on them (such as assenting to international treaties, framing of laws on the conditions of military service, on recruiting, etc.) is expressly reserved to the juridically independent action of both legislatures, which are, however, desired to do their best to agree on these matters. To provide for these common affairs, common ministries of foreign affairs and of war are called into existence; the expenses of these two departments are jointly to be borne by both countries in proportion to their comparative financial power—measured until now by the results of taxation in each. Both countries have equal control over these common departments, a control which they can exert through ways direct and indirect.

The common ministry of foreign affairs implies a common diplomatic service. It is not so clear up to what point unity of the armed force is implied in common war-administration. Our

law mentions a Hungarian army as part of the whole army, which is to be unitedly commanded and regulated as to its inner organization by the King, in the exercise of his constitutional prerogative. The somewhat oracular terms of this proviso have given birth to much controversy, and to some trouble lately. But one fact towers above all controversy, namely, the fact that, in public law, the individuality of the Hungarian army has been expressly maintained; and this is all that need be said about the matter here, where we are considering the juridical aspect of things only.

Particular provision has been made for the annual vote on common—foreign and war—expenses, and for a direct parliamentary control of the respective common ministries. Anything like a common parliamentary body being out of the question, the natural proceeding would be to submit these questions to both parliaments, but practical difficulties might arise if their votes should differ; how could two great parliamentary bodies residing in two different countries come to an agreement as quickly as the necessities of immediate action might sometimes require? To meet this practical difficulty, select committees are annually chosen by both parliaments to the number of sixty members each. These are called Delegations, and hold their annual meeting at the Emperor's and King's call alternately at Vienna and at Budapest. The Delegations do not sit together; they are two separate bodies, like the mother assemblies, only more handy ones to adjust difficulties. In case of disagreement they communicate through written messages, and only when it seems impossible to settle differences through correspondence (a very rare occurrence) do they meet for a simultaneous vote, at which meeting no discussion can take place. What is, then, the juridical meaning of that simultaneous vote? Is it to get a joint majority out of both bodies? That would contradict the fundamental principle of the institution, which is no sort of common parliament, but only a channel of easier communication between the two parliaments; the real meaning of that somewhat anomalous expedient is simply to bring face to face the two dissentient national wills, and to make the more fixed of them prevail when joint action must be secured one way or other.

The only function of the Delegations is to fix the figures of the budget of both common departments and to bring the controlling

power of both parliaments over these departments into direct action. The figures, as fixed by them, are incorporated into the Austrian and into the Hungarian budgets. The ratifying vote of the Hungarian parliament is essential to give legal value to their resolutions, and—though the parliaments cannot alter them—the Hungarian parliament at least has power altogether to reject any decision of the Delegations, when it thinks that the latter have gone beyond their constitutional competence.

The parliaments—the Hungarian parliament at least, for the Austrian law gives greater power to the Austrian Delegation than Hungarian law bestows on the Hungarian one—have, as I already hinted, indirect means, besides the direct one, of controlling the common departments. Law and custom desire the administration of common affairs—though entrusted to common ministers—to remain, as to its leading principles, in constant agreement with the Hungarian ministry; the latter is, therefore, co-responsible for the general conduct of foreign and war affairs to the Hungarian parliament, which may give an adverse vote on any question touching those departments. Such a vote, though affecting directly the Hungarian ministry only, would most certainly have an indirect bearing on the position of the common minister of the department involved—or on his policy. This indirect influence of our parliament shows still more clearly that the common affairs and the common executive agents are anything rather than representatives of a power higher than the public powers of Hungary; they are, on the contrary, constantly controlled by these powers and entirely dependent on them.

Several other enactments of the law XII, 1867, which express the advisability of Austria and Hungary's agreeing on some matters not exactly belonging to the sphere of mutual defence,* I pass by here, because—being entirely facultative in their execution—they can have no possible bearing on the juridical aspects of national independence. But it is now my task to analyze the institutions created in 1867, and to inquire whether they have impaired Hungary's independence as a sovereign nation.

* The most important of these enactments is one which provides for customs union to be periodically established. It is far from improbable that in a few years that union will be dissolved and a commercial barrier rise between Hungary and Austria. Nor will this modification of their economic relation juridically affect the connection as established by the Pragmatic Sanction and shaped out by the law of 1867.

That there is mutual dependence, in the political sense of the word, between two nations which are bound to act together in certain affairs and have created institutions to secure such identity of action, seems perfectly clear. Mutual dependence of this kind certainly exists between Hungary and Austria; there is a strong party in Hungary which objects even to this, and calls itself, on that account, the party of independence. But with this political aspect of the question I have here nothing to do. Mutual dependence between two equals depending on the free will of both does not affect their independent juridical individuality—in the case of a nation, the nation's sovereignty. That would be impaired only should the nation be incorporated as a part into some larger body, or controlled by some legal power superior to her own public powers. Now, is this the case of Hungary since 1867?

The question put in these terms is negatived by the very nature of the transaction which we are examining. We call it a "compromise"; and such it is politically speaking. Hungary—before creating law XII, 1867—ascertained in a proper way that that law would settle the difficulties pending with the dynasty and with Austria as common good sense required her to do. But, as to *its binding force,* this celebrated law is no treaty, but simply a law like any other law, liable to be abolished or changed at Hungary's uncontrolled pleasure. It is immaterial, for the purposes of the present discussion, that Hungary would certainly think the matter twice over before tampering with that particular law: that is the *political* aspect of the question. *Legally,* the whole machinery of common affairs and common ministries can be destroyed by an independent act of the Hungarian legislature, with which nobody has a right to interfere. Now, how can institutions which depend for their very existence on the sovereign will of Hungary represent a power superior to her—or controlling her? They are not even a new tie between Austria and Hungary, for the simple reason that Hungary is not tied by them. Matters are left, then, exactly as they stood after the Pragmatic Sanction: an independent and sovereign Hungarian nation has entered personal union with Austria, and both countries are bound by solemn compact to assist each other against foreign aggression.

Though this settles the question, let us consider the common institutions in their activity, and let us inquire whether they

represent, while existing, some fragment at least of an imperial establishment—an establishment, including both Hungary and Austria, superior to their public powers and, let us say, provisionally controlling them to a certain extent. What constitutive elements of such an establishment can be found in the machinery set up by the legislation of 1867?

It has no territory; there is a Hungarian territory, and there is an Austrian territory: Austro-Hungarian territory there is none, as has been declared by a resolution of Parliament, when dealing with an inaccurately worded international treaty.

It has no citizens: there are Hungarian citizens and there are Austrian citizens; the rights of these two classes of citizens being not only distinct, but widely different in the legal conditions of acquiring and losing them.

It has no legislative power; we have seen that even in common affairs legislative acts are expressly reserved to both legislatures; we have further seen that the Delegations have no legislative power, and are, even in the sphere of their competence, nothing like imperial representative assemblies, but simply select committees of both parliaments, called into existence for purposes of easier communication between them, and working under their constant control.

It has no judiciary; questions arising between the two countries must be settled, if agreement is impossible, by international arbitration, as was done in a boundary question a few years ago.

But it seems to have, at least, an executive? What are the common ministers, if not some embodiment of a common, of an imperial, executive power? Now, let us overlook the queer aspect of an imperial establishment, possessed of no other attribute, no other public power, but an executive; let us overlook the little hand-trick which must be performed imperceptibly to glide from "common"—which supposes two parties at least—into "imperial," which means one; and let us simply state that even a common executive power does not exist, cannot exist,—between Hungary and Austria. There are common ministers, indeed; but in what constitution of the world is executive power vested in ministries? We find it everywhere among the constitutional attributes of the first magistrate, subject to more or less restrictions, but vested in him, having its real existence personified by him, ministers being merely his agents, agents designated by

the constitution. In Hungary, executive power is vested in the King; in Austria, in the Emperor.* Now, the King of Hungary and the Emperor of Austria, though meeting in one physical person, are two distinct personalities in public law, every part of their prerogatives being distinct and generally different. The King of Hungary can only be invested with the executive power of Hungary, the Emperor of Austria with the executive power of Austria; no third personality of public law, no sort of imperial first magistrateship, has ever been conferred on His Majesty, nor does such a personality, I presume, evolve out of nothing by a sort of "*generatio equivoca*"—spontaneous growth. So there exists no person in whom such common, or imperial, executive power could possibly be vested, just as there is no source from which it could be derived. Common ministers are simply agents of both executive powers, Austrian and Hungarian, for those branches of government in which both executives should act together; they are ministers of the Emperor and of the King, to assist His Majesty in those acts through which he simultaneously exercises both his executive prerogatives, imperial and royal.

What is the bearing of such a connection between Austria and Hungary, as two sovereign nations, on the international situation of either of them separately or of both taken jointly?

That Hungary, taken separately, has a legal personality in international law stands above doubt; it simply follows from her being an independent Kingdom, not subject to any other Kingdom or nation, as a fundamental law of 1791 declares it. But,

* Austria and Hungary were both represented at the recent session of the Interparliamentary Union, which caused the calling of the second conference at The Hague. Count Apponyi was president of the delegation from the Hungarian Parliament, Vladimir Ritter von Gniewosz was president of the delegation from the Austrian Empire. Count Apponyi is Chamberlain to the King of Hungary. Mr. Gniewosz is Chamberlain to the Emperor of Austria. A Chamberlain is a man who has access at all times to the head of the State. Franz Joseph, as King, receives Count Apponyi on matters which concern Hungary. As Emperor, he receives Mr. Gniewosz on matters which concern Austria. If we imagine a law passed in Mexico making the Presidents of the United States in succession Presidents also of Mexico, but bound by the Constitution and laws of Mexico in his actions as President of Mexico, the relation between Austria and Hungary will become plain. The President would act in one set of matters as President of the United States, in others as President of Mexico. The Congresses, courts and other governmental agencies of the two nations would go on unimpaired by this choice of a common President.

since she is bound to Austria by a covenant of mutual defence, and since the law of 1867 has declared common affairs "those foreign affairs which affect the interests of both countries"—meaning those which bear direct relation to national defence—Hungary, as well as Austria, has for the time being disabled herself *by her own law* to act separately in international matters of that kind; she has, with respect to these matters, for the time being, renounced the separate use of her personality in international law, and must, in all cases of such nature, act jointly with Austria. The permanent potentiality of that joint action, the union of the two nations for that purpose, is called "Austria-Hungary," or—since their ruler is physically one monarch—the Austro-Hungarian monarchy, though that term, as being apt to misinterpretation, is not very felicitously chosen and will probably fall into desuetude. Austria-Hungary then—as is shown by the double term itself—does not mean one empire, but the permanent union of two nations for certain international purposes. In all international affairs not belonging to the sphere of national defence (such as railway conventions, extradition treaties, copyright conventions, etc.), the international personality of Hungary not only can, but must, act separately, because with respect to them there is no union with Austria, and therefore their joint action cannot even be juridically constructed, except on the grounds of some (*ad hoc*) convention between them.

But, even where joint action is necessary, it is not the action of *one* empire (which, having no substance, is hardly capable of action of any sort), but the joint action of two. Being bound to such joint action in certain matters, the union of these two constitutes one great power; for what is power, but potentiality of action—in our case of joint action? But it is not necessary to invest that great power with a juridical personality of its own; the fact that it represents a permanent obligation of two personalities to act jointly in matters of peace and war, answers to all requirements, theoretical and practical.

We can easily see now the chief source of the erroneous views generally prevailing about the legal status of Hungary. Hungary usually appears in joint international action with Austria; they have a common representation. These facts are apt, by themselves, to spread a false impression, which could be prevented only if the forms of such joint action and common representation

would clearly indicate—as they ought to do—the two sovereignties, which, though acting in conjunction, are possessed each of its own personality.

Unhappily, not even now can we point to a complete concord between what appears to the eyes of foreigners and what the relations between Hungary and Austria legally are. A wholesale reform of certain misleading forms in foreign (and, to some extent, military) matters has not yet been effected, though it has begun and will no doubt be completed in due time.

I should not like to be misunderstood. Hungary's strong insistence on her national independence does not, in the least, imply a will, or a wish, to break away from Austria. We mean to be true to the reigning dynasty—no nation within its dominions is more absolutely reliable in that respect; we mean loyally to fulfil our compact of mutual defence with Austria; in a word, what our forefathers agreed to, as being obligations freely accepted by Hungary, we mean to adhere to, as honest men should. All we want is that equal faith should be kept with us, that those equally binding enactments of the Pragmatic Sanction, which make Hungary secure of her independence as a sovereign nation, as a kingdom, "*nulli alio regno vel populo subditum,*" as the law of 1791 puts it, should be fulfilled with equal loyalty.

To such complete national existence Hungary has as good a right as any nation on earth, not on grounds of formal legality only, but because her people are conscious of having creditably fulfilled their mission as a bulwark of Western civilization and of liberty. We do not see that this mission is ended; nor do we see how it could be fulfilled, should that organic force of our peculiar national mentality and constitution be missing, should that force which stands unshaken after trials before which stronger empires have fallen into dust, give way to artificial combinations and mechanical contrivances.

We are then only faithful to the supreme law of our destinies when upholding the banner of national independence with unflinching firmness of resolve.

APPONYI.

THE ENGLISH DRAMA OF TO-DAY.

BY HENRY A. BEERS.

THE past fifteen or twenty years have witnessed one more concerted effort to "elevate the English stage," and this time with a fair prospect of results. There is a stir of expectation: the new drama is announced and already in part arrived. It would be premature to proclaim success as yet; but thus much may be affirmed, that the dramatic output of the last quarter-century outweighs that of any other quarter-century since 1700. Here, for instance, are the titles of a dozen contemporary plays which it would be hard to match with any equal number produced during an equal period of time since the failure of Congreve's latest and most brilliant comedy, "The Way of the World," marked the close of the Restoration drama: W. S. Gilbert's "Pygmalion and Galatea"; Sydney Grundy's "An Old Jew"; Henry Arthur Jones's "Judah" and "The Liars"; Arthur Wing Pinero's "The Second Mrs. Tanqueray" and "The Benefit of the Doubt"; George Bernard Shaw's "Candida" and "Arms and the Man"; Oscar Wilde's "Salome" and "Lady Windermere's Fan"; Stephen Phillips's "Ulysses"; and W. Butler Yeats's "The Land of Heart's Desire." (I have gone back a few years to include Mr. Gilbert's piece, first given at the Haymarket in 1871.)

Every one of these dramas has been performed with acceptance, every one of them is a contribution to literature, worthy the attention of cultivated readers. I do not say that any one of them is a masterpiece, or that collectively they will hold the stage as Goldsmith's and Sheridan's are still holding it a century and a quarter after their first production. But I will venture to say that, taken together, they constitute a more solid and varied group of dramatic works than that favorite little bunch of "classical" comedies, and offer a securer ground of hope for the future of the

British stage. It will be observed that half of them are tragedies, or plays of a serious interest; also, that they do not form a school, in the sense in which the French tragedy of Louis XIV, or the English comedy of the Restoration, was a school—that is, a compact dramatic group, limited in subject and alike in manner. They are the work of individual talents, conforming to no single ideal, but operating on independent lines. And it would be easy to add a second dozen by the same authors little, if at all, inferior to those on the first list.

Probably the foremost English play-writer of to-day is Mr. A. W. Pinero, whether tried by the test of popular success in the theatre, or by the literary quality of his printed dramas. He learned his art as Shakespeare learned his, by practical experience as an actor, and by years of obscure work as a hack-writer for the playhouses, adapting from the French, dramatizing novels, scribbling one-act curtain-raisers and all kinds of theatrical nondescripts. There is a long list of failures and half successes to his account before he emerged, about 1885, with a series of three-act farces, "The Magistrate," "The Cabinet Minister," "The Schoolmistress" and the like, which pleased every one by their easy, natural style, their fresh invention, the rollicking fun that carried off their highly improbable entanglements, and the *bonhomie* and knowledge of the world with which comic character was observed and portrayed. Absurdity is the kingdom of farce; and, as in the topsyturvy world of opera bouffe, a great part of the effect in these plays is obtained by setting dignified persons, like prime ministers, cathedral deans and justices, to doing ludicrously incongruous actions. Thus, the schoolmistress, outwardly a very prim and proper gentlewoman, leads a double life, putting in her Christmas vacation as a figurante in comic opera; anticipating, and perhaps suggesting, Mr. Zangwill's "Serio-Comic Governess."

To these farces succeeded pieces in which social satire, sentimental comedy, and the comedy of character were mixed in varying proportions: "Sweet Lavender," "The Princess and the Butterfly," "Trelawney of the Wells" and others. Of these, the first was, perhaps, the favorite, and was translated and performed in several languages. It is a very winning play, with a genuine popular quality, though with a slight twist in its sentiment. Pinero's art has deepened in tone, until in such later

work as "The Profligate," "The Benefit of the Doubt," "The Second Mrs. Tanqueray," "The Notorious Mrs. Ebbsmith" and "Iris," he has dealt seriously, and sometimes tragically, with the nobler passions. His *chef d'oeuvre* in this kind, "The Second Mrs. Tanqueray," is constructed with consummate skill, and its psychology is right and true. This is a problem play (it is unfortunate that we apply this term exclusively to plays dealing with one particular class of problems), and its ethical value, as well as its tragical force, lies in its demonstration of the truth that no one can escape from his past. The past will avenge itself upon him or her, not only in the unforeseen consequences of old misdeeds, but in that subtler nemesis, the deterioration of character which makes life under better conditions irksome and impossible. The catastrophe comes with the inevitableness of the old Greek fate-tragedies. In this instance, it is suicide, as in "Hedda Gabler" or Hauptmann's "*Vor Sonnenaufgang.*" Though criticised as melodramatic, the dramatist makes us feel it here to be the only solution. Mr. Pinero has already achieved the distinction of a "Pinero Birthday Book"; while "Arthur Wing Pinero: a Study," by H. Hamilton Fyfe, a book of two hundred and fifty pages, with a bibliography, reviews his plays *seriatim*.

Without pushing the analogy too far, we may call Mr. Pinero and Mr. Bernard Shaw the Goldsmith and Sheridan of the modern stage. In Pinero, as in Goldsmith, humor more than wit is the prevailing impression. That "brilliancy" which is often so distressing is absent from his comedy, whose surfaces do not corruscate, but absorb the light softly. His satire is good-natured, his worldliness not hard, and his laughter is a neighbor to tears. Shaw is an Irishman, a journalistic free-lance and Socialist pamphleteer. He has published three collections of plays—"Pleasant," "Unpleasant" and "For Puritans,"—accompanied with amusingly truculent prefaces, discussing, among other things, whether his pieces are "better than Shakespeare's." Two of his comedies, "Arms and the Man" and "The Devil's Disciple," were put on in New York by Mr. Mansfield as long ago, if I am right, as 1894 and 1897, respectively. "Arms and the Man" is an effective theatre piece, with a quick movement, ingenious misunderstandings and several exciting moments. Like his fellow countryman, Sheridan, Mr. Shaw is clever in inventing situations, though he professes scorn of them as bits of old

theatrical lumber, a concession to the pit. "Candida" was given in America a season or two ago, and the problems of character which it proposes have been industriously discussed by the dramatic critics and by social circles everywhere. The author is reported to have been amused at this, and to have described his heroine as a most unprincipled woman—a view quite inconsistent with the key kindly afforded in the stage directions. These, in all Shaw's plays, are explicit and profuse, comprising details of costume, gesture, expression, the furniture and decorations of the scene, with full character analyses of the *dramatis personae* in the manner of Ben Jonson. The italicized portions of the printed play are little less important than the speeches; and small license of interpretation is left to the players. This is an extra-dramatic method, the custom of the novel overflowing upon the stage. But Mr. Shaw defends the usage and asks: "What would we not give for the copy of 'Hamlet' used by Shakespeare at rehearsal, with the original 'business' scrawled by the prompter's pencil? And if we had, in addition, the descriptive directions which the author gave on the stage: above all, the character sketches, however brief, by which he tried to convey to the actor the sort of person he meant him to incarnate! Well, we should have had all this if Shakespeare, instead of merely writing out his lines, had prepared the plays for publication in competition with fiction as elaborate as that of Meredith." "I would give half a dozen of Shakespeare's plays for one of the prefaces he ought to have written."

Shaw's appeal has been more acutely intellectual than Pinero's, but his plays are less popular and less satisfying; while the critics, he complains, refuse to take him seriously. They treat him as an irresponsible Irishman with a genius for paradox, a puzzling way of going back on himself and a freakish delight in mystifying the public. The heart interest in his plays is small. He has the Celtic subtlety, but not the Celtic sentiment; in this, too, resembling Sheridan, that wit rather than humor is the staple of his comedy —a wit which in both is employed in the service of satire upon sentiment. But the modern dramatist's satire cuts deeper and is more caustic. Lydia Languish and Joseph Surface, Sheridan's embodiments of romance and sentiment, are conceived superficially and belong to the comedy of manners, not of character. Sheridan would not have understood Lamb's saying that Charles Surface was the true canting hypocrite of "The School for Scandal."

For nowadays sentiment and romance take less obvious shapes; and Shaw, who detests them both and holds a retainer for realism, tests for them with finer reagents.

And here comes in the influence of Ibsen, perhaps the most noticeable foreign influence in the recent English drama, from which it has partly driven out the French, hitherto all-predominant. Ibsen's introduction to the English stage dates from 1889 and the years following; although Mr. Gosse's studies and the translations of Mr. Havelock Ellis and others had made a few of his plays known to the reader. As long since as 1880, a very free version of "A Doll's House," under the title "Breaking a Butterfly," had been made for the theatre by Mr. Henry Arthur Jones and a collaborator. The French critic, M. Augustin Filon, in his book, "The English Stage" (1897), ventures a guess that the Ibsen brand of realism will be found to agree better with the English character than the article furnished by Dumas *fils* and other French dramatists; and he even suggests the somewhat fantastic theory that an audience of the fellow countrymen of Darwin and Huxley will listen with a peculiar sympathy to such a play as "Ghosts," in which the doctrine of heredity is so forcibly preached. Ibsen's masterly construction, quite as much as his ideas, has been studied with advantage by our dramatists. Thus it is thought that Pinero, who has shown, in general, very little of Ibsen's influence, may have taken a hint from him in the inconclusive ending of "The Notorious Mrs. Ebbsmith." The inconclusive ending is a practice—perhaps a principle—of the latest realistic schools of drama and fiction. Life, they contend, has no artificial closes, but flows continually on, and a play is only a "bleeding slice of life." In old tragedy, death is the end. "Troilus and Cressida" is Shakespeare's only episodical tragedy, the only one in which the protagonist is not killed—and, perhaps for that reason, the quarto title-page describes it as a comedy. But in Ibsenite drama the hero or heroine does not always die. Sometimes he or she goes away, or sometimes just accepts the situation and stays on. The sound of the door shutting in "A Doll's House" tells us that Nora has gone out into the world to begin a new career. In "Mrs. Warren's Profession," one of Shaw's strongest "Plays Unpleasant"—so unpleasant that its production on the boards was forbidden by the Lord Chamberlain—when Vivie discovers what her mother's profession is, and where

the money comes from that sent her to Newnham, she does nothing melodramatic, but simply utilizes her mathematical education by entering an actuary's office. The curtain falls to the stage direction: "Then she goes at her work with a plunge, and soon becomes absorbed in her figures."

Shaw is a convinced Ibsenite and took up the foils for the master in a series of articles in the "Saturday Review" in 1895. The new woman, the emancipated woman so much in evidence in Ibsen, goes in and out through Shaw's plays, short-skirted, cigarette-smoking, a business woman with no nonsense about her, a good fellow, calling her girl friends by their last names and treating male associates with a brusque *camaraderie*. But, as he satirizes everything, himself included, he has his laugh at the Ibsen cult in "The Philanderer." There is an Ibsen Club, with a bust of the Norse divinity over the library mantelpiece. One of the rules is that no womanly woman is to be admitted. At the first symptom of womanliness, a woman forfeits her membership. What Shaw chiefly shares with Ibsen is his impatience of heroics, cant, social lies, respectable prejudices, the conventions of a traditional morality. Face facts, call things by their names, drag the skeleton out of the closet. Ibsen brushes these cobwebs aside with a grave logic and a savage contempt; he makes their hollow unreality the source of tragic wrong. But Shaw's lighter temperament is wholly that of the comic artist, and he attacks cant with the weapons of irony. His favorite characters are audacious, irreverent young men and women, without illusions and incapable of being shocked, but delighting in shocking their elders. The clergy are the professional trustees of this conventional morality and are treated by Ibsen and Shaw with scant respect. Mrs. Alving in "Ghosts" shows the same contemptuous toleration of the scruples of the rabbitlike Parson Manders, as Candida shows for her clerical husband's preaching and phrase-making. The present season has witnessed the first appearance on the American stage of Mr. Shaw's gayest farce comedy, "You Never Can Tell."

I asked an actor, a university graduate, what he thought of the future of verse drama in acted plays. He inclined to believe that its day had gone by, even in tragedy; and that the language of the modern serious drama would be prose, colloquial, never stilted (as it was in "George Barnwell" and "Richelieu"), but rising, when necessary, into eloquence and a kind of unmetrical poetry.

He instanced several passages in Pinero's "Sweet Lavender" and later plays. Still, the blank-verse tradition dies hard. Probably the leading representative of ideal or poetic drama in the contemporary theatre is Stephen Phillips, whose "Paolo and Francesca" (1899), "Herod" (1900) and "Ulysses" (1902) have all been shown upon the boards and highly acclaimed, at least by the critics. There is no doubt that they are fine dramatic poems with many passages of delicate, and some of noble, beauty. But whether they are anything more than excellent closet drama is not yet proved. Mr. Phillips's experience as an actor has given him a practical knowledge of technic; and it may be conceded that his plays are nearer the requirements of the stage than Browning's or Tennyson's. They are simple, as Browning's are not; and they have quick movement, where Tennyson's are lumbering. Neither is it much against them that their subjects are antique, taken from Dante, Josephus and Homer. But they appear to me poetically rather than dramatically imagined. Shakespeare and Racine dealt with remote or antique life; yet, each in his own way modernized and realized it. It is a hackneyed observation that Racine's Greeks, Romans and Turks are French gentlemen and ladies of the court of Louis XIV. Shakespeare's Homeric heroes are very un-Homeric. There is little in either of local color or historical perspective: there is in both a fulness of handling, an explication of sentiments and characters. The people are able talkers and reasoners. Mr. Phillips's method is implicit, and the atmosphere of things old and foreign is kept, the distance which lends enchantment to mediæval Italy, or the later Roman Empire or the heroic age. It is as if the "Idylls of the King" were dramatized—as, indeed, "Elaine" was dramatized for one of the New York playhouses by George Lathrop—retaining all their romantic charm and all their dramatic unreality.

Still, there are moments of genuine dramatic passion in all three of these plays: in "Herod," for instance, where Mariamne acknowledges to the tetrarch that her love for him is dead. And in "Ulysses," Telemachus's recognition of his father moves one very deeply, producing its impression, too, by a few speeches in a perfectly simple, unembroidered diction, by means properly scenic, not poetic like Tennyson's. "Ulysses" seems the best of Mr. Phillips's pieces, more loosely built than the others, but of more varied interest and more lifelike. The gods speak in rhyme

and the human characters in blank verse, while some of the more familiar dialogue is in prose; Ctesippus, an elderly wooer of Penelope, is a comic figure; and there is a good deal of rough, natural fooling among the wooers, shepherds and maids in the great hall of Ithaca. In its use of popular elements and its romantic freedom of handling, the play contrasts with Robert Bridges's "The Return of Ulysses," which Mr. Yeats praises for its "classical gravity" and "lyric and meditative" quality. Mr. Phillips opens his scene on Calypso's island, and brings his wandering hero home only after making him descend to the shades. His Ulysses shoots the wooers in full view of the audience. In Mr. Bridges's play the action begins in Ithaca, the unities of time and place are observed, and so is dramatic decency. The wooers are slain outside, and their slaying is described to Penelope by a handmaid who sees it from the door. Yet, upon the whole, Mr. Phillips's constructive formula is more Sophoclean than Shakespearean. Not that he adheres to the external conventions of Attic tragedy, the chorus, the unities, etc., like Matthew Arnold in "Merope"; but that his plot evolution exhibits the straight, slender line of Sophocles, rather than the rich composite pattern of Elizabethan tragi-comedy. I have been told by some who saw "Ulysses" played, that the descent *ad inferos* was grotesque in effect. But "Paolo and Francesca" might have gained from an infusion of grotesque. D'Annunzio's almost precisely contemporary version of the immortal tale has just the solid, materialistic treatment which makes you feel the brutal realities of mediæval life, the gross soil in which this "lily of Tartarus" found root. Mr. Phillips's latest piece, "The Sin of David," a tragedy of Cromwell's England, is now in its first season.

Among the most interesting of recent dramatic contributions are Wm. Butler Yeats's "Plays for an Irish Theatre." Mr. Yeats's recent visit to this country is still fresh in recollection; and doubtless many of my readers have seen his beautiful little fairy piece "The Land of Heart's Desire." Probably allegory, or at least symbolism, is the only form in which the supernatural has any chance in modern drama. The old-fashioned ghost is too robust an apparition to produce in a sceptical generation that "willing suspension of disbelief" which, says Coleridge, constitutes dramatic illusion. Hamlet's father talks too much; and the ghosts in "Richard III" are so sociable a company as to quite

keep each other in countenance. The best ghost in Shakespeare is Banquo's, which is invisible—a mere "clot on the brain"—and has no "lines" to speak. The elves in "A Midsummer Night's Dream" and the elemental spirits in "The Tempest" are nothing but machinery. The other world is not the subject of the play. Hauptmann's "*Die Versunkene Glocke*" is symbolism, and so is "The Land of Heart's Desire." Maeterlinck's "*Les Aveugles*" and Yeats's "Cathleen Ni Hoolihan" are more formally allegorical. The poor old woman, in the latter, who takes the bridegroom from his bride, is Ireland, from whom strangers have taken her "four beautiful green fields"—the ancient kingdoms of Munster, Leinster, Ulster and Connaught.

These Irish plays, indeed, are the nearest thing we have to the work of the Belgian symbolist, to dramas like "*Les Aveugles*" and "*L'Intruse.*" And, as in those, the people are peasants, and the dialogue is homely prose. No brogue: only a few idioms and sometimes not even that, the whole being supposed to be a translation from the Gaelic into standard English. Maeterlinck's dramas have been played on many theatres. Mr. Wm. Sharp, who twice saw "*L'Intruse*" at Paris, found it much less impressive in the acting than in the reading, and his experience was not singular. As for the more romantic pieces, like "*Les Sept Princesses*" and "*Aglavaine et Sélysette,*" they are about as shadowy as one of Tieck's tales. Those who saw Mrs. Patrick Campbell in "*Pelléas et Mélisande*" will doubtless agree that these dreamlike poems are hurt by representation. It may be that Maeterlinck, like Baudelaire, has invented a new shudder. But the matinée audiences laughed at many things which had thrilled the closet reader.

Yeats's tragedies, like Maeterlinck's, belong to the *drame intime*, the *théâtre statique*. The popular drama—what Yeats calls the "theatre of commerce"—is dynamic. The true theatre is the human will. Brunetière shows by an analysis of any one of Racine's plays—say "*Andromaque*"—how the action moves forward by a series of decisions. But Maeterlinck's people are completely passive: they suffer: they do not act, but are acted upon by the unearthly powers of which they are the sport. Yeats's plays, too, are "plays for marionettes," spectral puppet-shows of the Celtic twilight. True, his characters do make choices: the young wife in "The Land of Heart's Desire," the bridegroom in

"Cathleen Ni Hoolihan" make choices, but their apparently free will is supernaturally influenced. The action is in two worlds. In antique tragedy, too, man is notoriously the puppet of fate; but, though he acts in ignorance of the end to which destiny is shaping his deed, he acts with vigorous self-determination. There is nothing dreamlike about Orestes or Œdipus or Antigone.

It is said that the plays of another Irishman, Oscar Wilde, are now great favorites in Germany: "Salome," in particular, and "Lady Windermere's Fan" and "A Woman of No Importance" (*"Eine unbedeutende Frau"*). This is rather surprising in the case of the last two, which are society dramas with little action and an excess of cynical wit in the dialogue. It is hard to understand how the unremitting fire of repartee, paradox and "reversed epigram" in such a piece as "Lady Windermere's Fan"—the nearest recent equivalent of Congreve comedy—can survive translation or please the German public.

This "new drama" is very new indeed. In 1882, Wm. Archer, the translator of Ibsen, published his book, "English Dramatists of To-day," in the introduction to which he acknowledged that the English literary drama did not exist. "I should like to see in England," he wrote, "a body of playwrights whose works are not only acted, but printed and *read*." Nine years later, Henry Arthur Jones, in the preface to his printed play, "Saints and Sinners," denied that there was any relation between English literature and the modern English drama. A few years later still, in his introduction to the English translation of M. Filon's book, "The English Stage" (1897), Mr. Jones is more hopeful. "If any one will take the trouble," he writes, "to examine the leading English plays of the last ten years, and will compare them with the serious plays of our country during the last three centuries, I shall be mistaken if he will not find evidence of the beginnings of an English drama of greater import and vitality, and of wider aim, than any school of drama the English theatre has known since the Elizabethans."

In his book on "The Renaissance of the Drama," and in many other places, Mr. Jones has pleaded for a theatre which should faithfully reflect contemporary life; and in his own plays he has endeavored to furnish examples of what such a drama should be. His first printed piece, "Saints and Sinners" (exhibited in 1884) was hardly literature, and did not stamp its author as a first-class

talent. It is a seduction play of the familiar type, with a set of stock characters: the villain; the forsaken maid; the steadfast lover who comes back from Australia with a fortune in the nick of time; the *père noble,* a country clergyman straight out of "The Vicar of Wakefield"; and a pair of hypocritical deacons in a dissenting chapel — very much overdone, *pace* Matthew Arnold, who complimented Mr. Jones on those concrete examples of middle-class Philistinism, with its alliterative mixture of business and bethels. Mr. Jones, like Mr. Shaw, is true to the tradition of the stage in being fiercely anti-Puritan, and wastes many words in his prefaces in vindicating the right of the theatre to deal with religious hypocrisy; as if Tartuffe and Tribulation Wholesome had not been familiar comedy heroes for nearly three hundred years.

This dramatist served his apprenticeship in melodrama, as Pinero did in farce; and there are signs of the difference in his greater seriousness, or heaviness. Indeed, an honest feeling and an earnest purpose are among his best qualities. M. Filon thinks him the most English of contemporary writers for the stage. And, as Pinero's art has gained in depth, Jones's has gained in lightness. Crude at first, without complexity or shading in his character-drawing, without much art in comic dialogue or much charm and distinction in serious, he has advanced steadily in grasp and skill and sureness of touch, and stands to-day in the front rank of modern British dramatists. "The Crusaders," "The Case of Rebellious Susan," "The Masqueraders," "Judah," "The Liars," are all good plays — or, at least plays with good features — and certainly falling within the line which divides literary drama from the mere stage play. "Judah," for instance, is a solidly built piece, with two or three strong situations. The heroine is a fasting girl and miraculous healer, a subject of a kind which Hawthorne often chose; or reminding one of Mr. Howells's charlatans in "The Undiscovered Country" and Mr. James's in "The Bostonians." The characterization of the leading persons is sound, and there is a brace of very diverting broad comedy figures, a male and a female scientific prig. They are slightly caricatured—Jones is still a little heavy-handed—but the theatre must over-accentuate now and again, just as actresses must rouge.

In this play and in "The Crusaders," social satire is successfully

essayed at the expense of prevailing fads, such as fashionable philanthropy, slumming parties, neighborhood guilds and the like. There is a woman in "The Crusaders,"—a campaigner, a steamboat, a specimen of the loud, energetic, public, organizing, speech-making, committee and platform, subscription-soliciting woman, —nearly as good as anything in our best fiction. Mr. Joseph Knight, who writes a preface to "Judah" (first put on at the Shaftesbury Theatre, London, 1890), compares its scientific faddists with the women who swarm to chemistry and biology lectures in that favorite Parisian comedy "*Le monde où l'on s'ennuie.*" There is capital satire of the downright kind in these plays, but surely it is dangerous to suggest comparison with the gay irony, the courtly grace, the dash and sparkle of Pailleron's little masterpiece. There are no such winged shafts in any English quiver. Upon the whole, "The Liars" seems to me the best comedy of Mr. Jones that I have read—I have not read them all—the most evenly sustained at every point of character and incident, a fine piece of work in both invention and construction. The subject, however, is of that disagreeable variety which the English drama has so often borrowed from the French; the rescue of a married woman from a compromising position, by a comic conspiracy in her favor.

The Puritans have always been half-way right in their opposition to the theatre. The drama, in the abstract and as a form of literature, is of an ancient house and a noble. But the professional stage tends naturally to corruption, and taints what it receives. The world pictured in these contemporary society plays—or in many of them—we are unwilling to accept as typical. Its fashion is fast and not seldom vulgar. It is a vicious democracy in which divorces are frequent and the "woman with a past" is the usual heroine; in which rowdy peers mingle oddly with manicurists, clairvoyants, barmaids, adventuresses, comic actresses, faith-healers, etc.; the contact between high life and low life has commonly disreputable motives. Surely this is not English life, as we know it from the best English fiction. And, if the drama is to take permanent rank with the novel, it must redistribute its emphasis.

HENRY A. BEERS.

THE PROPER GRADE OF DIPLOMATIC REPRESENTATION.—A REPLY.

BY JAMES F. BARNETT.

UNDER the title, "The Proper Grade of Diplomatic Representation," Mrs. Van Rensselaer Cruger in a recent number of this REVIEW writes of the place of the ambassador in our diplomatic service. The question is suggested by a recent address delivered by the Hon. John W. Foster, at St. Louis, before the International Congress of Arts and Sciences. In Mr. Foster's opinion, a single grade of diplomatic representation is to be preferred to the present hierarchy, established nearly a century ago at the Congress of Vienna. The special privileges of the ambassador, he thinks, are unfair, while the increased cost of living, necessary to maintain the ambassadorial rank, excludes all but a few rich men from the office.

Mrs. Cruger's remedy would be to provide official residences for our diplomatic representatives, "in which all envoys, rich or poor, shall be expected to reside in a condition of quiet and unostentatious elegance consistent with republican institutions." As a result, she thinks, the style of living would be approximately the same, whatever the personal means of the incumbent; and diplomatic life would, as of old, be open to the Irvings, Bancrofts, Motleys and Lowells of a later day.

The ambassadorship was introduced into our foreign service by the Act of Congress of March 1st, 1893. This Act was passed at the very end of the last session of Congress under the Harrison administration. Coming, as it did, on the eve of a new Democratic régime, the measure seems to have been passed without discussion.

Mr. Cleveland immediately availed himself of this authority by accrediting as ambassadors the new American representatives

to England, France, Germany and Italy. No further additions were made to the number until Mr. McKinley's first administration, when, in December, 1898, our ministers to Mexico and Russia were accredited as ambassadors. In June, 1902, similar action was taken as to the legation to Austro-Hungary, and last year the Brazilian mission became an embassy. The present number of American representatives of this class is therefore eight.

The text of the Act of March 1st, 1893, is as follows:

"Whenever the President shall be advised that any foreign government is represented, or is about to be represented, in the United States by an ambassador, envoy extraordinary, minister plenipotentiary, minister resident, special envoy or *chargé d'affaires*, he is authorized, at his discretion, to direct that the representative of the United States to such government shall bear the same designation. This provision shall in no wise affect the duties, powers or salary of such representative."

Mrs. Cruger supposes that, "whatever be the urgent need of this country for an envoy of ambassadorial rank, at a particular time or place, the President is powerless to take the initiative in appointing him. Not until the government to which he is to be accredited has actually taken the first step does the law in question become operative." This observation is correct, however, only in the sense that there may be practical difficulties in the way of the President's raising a particular envoy to the rank of ambassador, in the absence of an appropriation by Congress for the salary of such an office. The Constitution gives to the President the power, "by and with the advice and consent of the Senate, to appoint ambassadors and other public ministers." This power is absolute and exclusive. The function of Congress here consists in appropriating salaries. Indeed, in the earlier years of the Republic, Congress was accustomed to appropriate a lump sum for carrying on the foreign relations of the United States, and the President allotted it to our respective representatives sent abroad, as he saw fit.

The point above alluded to was settled by an opinion of Attorney-General Cushing so long ago as 1855, when he ruled that an Act of Congress which provided that the President should appoint diplomatic representatives of a certain grade to certain countries was clearly unconstitutional. Mr. Cushing expressly held that, "The President has power by the Constitution to appoint diplomatic agents of any rank, at any place, and at any

time, subject to the constitutional conditions of relation to the Senate." This is a matter, I believe, as to which there is some misapprehension. Even a person in such high place as the late Cushman K. Davis, then Chairman of the Foreign Relations Committee of the Senate, when the matter was called to his attention, said that he "supposed that Congress created the offices."

Of course, if Congress makes an appropriation to pay the salary of an envoy to a particular post, and the President accredits the incumbent as an ambassador, the appointee could not lawfully receive the salary. If he happened to be a man of independent means, he might consent to forego his salary temporarily, or the President might direct that he be paid from the emergency fund. In fact, the chief purpose of the law of March 1st, 1893, was to obviate the difficulty as to salary.

In so far, therefore, as this law appears to limit the circumstances in which the President may appoint an ambassador, it is of no binding force whatever. At best, it is but an expression of opinion by the members of the Fifty-second Congress that the President should await the action of foreign governments before exercising this prerogative. To this extent the law is an anomaly, and ought to be amended, so that a diplomatic officer may be promoted whenever the President deems expedient. As a question of constitutional law, there should be no doubt on the subject. When the President has acted in the matter, it becomes the duty of Congress to appropriate such salary as it may think ought to be attached to the office. But, surely, when, as in the case under discussion, no change of salary is involved, and where the question is purely one of expediency in managing the foreign affairs of the government, there can be no doubt of the obligation of Congress to make the necessary verbal alterations in the law. The question of rank is disposed of finally, when the Senate acts on the nomination of the proposed ambassador.

An incident in the history of our foreign relations will serve as an illustration of a possible emergency. In April, 1813, during a recess of the Senate, President Madison commissioned Albert Gallatin, John Quincy Adams and James Bayard, Envoys Extraordinary and Ministers Plenipotentiary to negotiate a treaty of peace with Great Britain, under the proffered mediation of Russia. The situation was one calling for prompt and decisive action. Subsequently, when their nominations were submitted

to the Senate for confirmation, a disposition was shown to censure the President's course, on the ground that he had attempted unconstitutionally to fill a vacancy in offices, which, it was alleged, had no legal existence. No formal action was taken by the Senate, a resolution of protest being ordered to lie on the table. As President Monroe afterwards observed, in a similar situation, the question involved was that of appointment to offices "not created by Congress, but existing by the law of nations."

As Mrs. Cruger suggests, there seems to be little likelihood that European governments would agree to the levelling process in diplomatic rank proposed by Mr. Foster. At several European capitals during the last thirty-five years, a number of legations have been raised to embassies. Just prior to the Franco-Prussian war, there was but one embassy at Madrid (that of France); none at Florence (then the Italian capital) and only two at Berlin. The unification of Italy, and the formation of the German Empire, were naturally followed by an exchange of ambassadors with the other great Powers. Notwithstanding the decadence of Spain in the intervening time, there are five embassies at Madrid to-day. At Constantinople, the unsolved Eastern question, and the ambassadorial right of personal interview with the Sultan (important in an absolute monarchy), explain the presence there of seven embassies. On the other hand, "minister resident" and "*chargé d'affaires*" have been almost everywhere superseded by "envoy extraordinary, etc.," except in the exchange of diplomatic agents with the smaller Spanish-American countries, with some of the Balkan states and with the lesser Asiatic states, Corea and Siam. In our own service, we now have but two ministers resident, whom we send to the Dominican Republic and to Liberia. The recent action of Brazil in reference to the Washington mission is likely to be followed in due time by other states, so that finally all the greater countries will be represented by ambassadors at capitals where their interests are important. Smaller states, which perforce must play a lesser part in world-politics, will probably be content to retain the thoroughly dignified office of envoy. It would seem, therefore, that the net result will be a return to the old classification; viz., diplomatic agents of the first and second class, the former to be known as "ambassadors," and the latter as "envoys." Possibly, this may be only an intermediate stage in the development, and eventually Mr. Foster's

ideal condition may be reached when "all distinctions and special privileges are abolished and a single grade is established in all the capitals of the world."

Meanwhile, the rule of "first come, first served" should govern as to interviews with ministers at the Foreign Office. As to the ambassador's right to demand a personal interview with the head of the state, the latest authorities seem to agree that the privilege is not much greater than that accorded to the envoy. The right must necessarily be restricted by the convenience of the President or sovereign (as the case may be), and by the limitations imposed by constitution in all but the absolute monarchies. Matters of precedence, on occasions of ceremony, are likely to be of little consequence, except to the persons immediately involved.

With Mrs. Cruger's plea for official residences for our diplomatic representatives, all reasonable-minded persons will be in hearty accord. In February, 1897, Mr. Olney, then Secretary of State, transmitted to Congress a report on this subject, based on information supplied by our representatives abroad. It will be interesting to recall some of the statistics then presented.

The list of governments owning official residences at the several foreign capitals was as follows:

Vienna	Germany, Great Britain, Russia.
Brussels	Germany, Great Britain.
Pekin	All the Great Powers except the United States.
Paris	Austria-Hungary, Germany, Great Britain, Russia.
Berlin	Austria-Hungary, France, Great Britain, Spain, Sweden.
The Hague	France, Germany, Great Britain, Japan (last two under long leases).
St. Petersburg	Austria-Hungary, France, Germany, Great Britain, Turkey (last two have long leaseholds).
Madrid	France, Germany, Great Britain, Italy. Under long leases: Austria-Hungary, Belgium, Mexico, Portugal.
Constantinople	All the Great Powers except the United States, including summer residences at Therapia.
Berne	France.
London	Leaseholds from twenty to seventy years by all the Great Powers except the United States.
Teheran	France, Germany, Great Britain, Russia, Turkey.
Rome	Germany, Great Britain, Turkey.

The United States owns legation buildings only at Tokio, Seoul, Bangkok and Tangier.

The cost of purchasing residences as estimated by our ministers at the various capitals was as follows:

Vienna	$146,000
Brussels	25,000 to $50,000
Pekin	35,000
Paris	300,000
Berlin	225,000 to 800,000
London	60,000 to 500,000
The Hague	16,000 to 32,000
Lisbon	20,000
St. Petersburg	200,000 to 400,000
Stockholm	35,000 to 40,000
Berne	30,000 to 40,000
Constantinople	100,000
Teheran	15,000 to 20,000
Rome	90,000 to 200,000

The most recent report on this subject is one from acting Secretary of State Loomis, transmitted to Congress on January 8th, 1904, and refers to the purchase of a permanent legation building at The Hague. It is accompanied by a despatch from Minister Newell, of May 6th, 1903, from which we learn that there had been offered to the United States the celebrated De Witt House, so called from having been the home of the brothers De Witt immediately prior to their assassination. It is described as a commodious house of twenty-five rooms, located in the best and most convenient situation in the city for the purpose. The interior is described as being finished in handsome old oak.

With the International Court of Arbitration established at The Hague, is there any doubt, in view of the increasing importance of this post, and the presence from time to time of American members of the arbitration tribunal, that this country should maintain a permanent legation residence at the Dutch capital, where France, Germany, Great Britain and Japan already have buildings of this character? It is not likely that Congress would make an appropriation in a single year for more than one residence, but can there be a better place for beginning than at The Hague? On account of the location of the international court, it is unique among all our legations of lesser rank. The establishment of a permanent home at The Hague would not fail to touch the public sentiment of Europe, and would be to all the nations an additional guaranty of our intention to resort, whenever possible, to the international tribunal.

JAMES F. BARNETT.

IMPEDIMENTS TO MARRIAGE IN THE CATHOLIC CHURCH.

BY THE REV. P. J. HAYES, D.D., CHANCELLOR OF THE ARCHDIOCESE OF NEW YORK.

THE purpose of the present article is to state succinctly the specific nature and the definite aim of the impediments to marriage according to the teaching and discipline of the Catholic Church. The Rt. Rev. Wm. Croswell Doane, D.D., in the April issue of this REVIEW, under the caption "Remarriage after Divorce," made use of the following language:

> "Rome justifies and practically sanctions what amounts to divorce, although it is not called so, in the freest possible way. . . . The multiplied possibilities of remarriage by innumerable grounds of dispensation and countless definitions of prenuptial impediments are equivalent to the non-Roman or Protestant recognition of divorce from the bond."

This statement is unwarranted by fact.

The Catholic Church teaches that marriage, ordained in the beginning by the Creator, was raised by Christ to the dignity of a sacrament. The experience of the centuries preceding His coming had clearly shown that the purely natural condition of marriage, according to the primeval law, was not sufficient to preserve its unity and indissolubility. The Saviour came to perfect the old law; and, if there was any human institution more than another that needed His grace and blessing, it certainly was marriage. He sanctified the nuptial contract, promulgated its unity and bound it up so closely with Himself that, whenever man and woman plight their troth in Christian marriage, the holy pledge is spoken in His presence and His hand is raised in heavenly benediction upon the union. Marriage then rises above a mundane transaction in the busy mart of men, is enshrined as

a sacred rite in the sanctuary of the temple and sealed as the symbol of Christ's union with His Church. This sacramental character commits matrimony, both as a religious ceremony and as a contract, to the custody and control of the Church to whom Christ gave authority to guard and administer His sacraments. How different, by contrast, is the Protestant notion of marriage! A secular matter, subject to the jurisdiction of the State, and no more sacramental, as Calvin put it, than "house-building, farming, or shoemaking."

Christ, however, did not change the intrinsic nature of Christian marriage, which still remains in essence a contract, active and passive in principle; the active and efficient cause is the mutual consent; the passive and resultant cause is the indissoluble bond. The contract becomes effective and operative the moment two persons, qualified and free to do so, express their mutual consent to confer on each other the right to the conjugal obligation; the consent thus expressed begets the indissolubility, that cementing and cohesive element which solidifies the contract in a permanent and perpetual state, and irrevocably binds till death the married couple to mutual responsibility and ever-constant fidelity one to the other. The indissolubility of the marriage bond, therefore, bears to the mutual consent the relation of cause to effect; and, once this bond is validly contracted in marriage lawfully celebrated and consummated, it is beyond the power and control of impediment and dispensation either in Church or in State. No decree of ecclesiastical or secular court and no act of parliament or legislature can break the indissoluble tie of Christian marriage. This is the fundamental principle laid down by Christ and always followed by the Catholic Church.

Whether the world acknowledges it or not, the Church has received from her Divine Founder the authority that commands obedience. "He that heareth you heareth me, and he that despiseth you despiseth me" (Luke x, 16). And in the plenitude of her authority to bind and to loose, the Church has placed around marriage certain safeguards in the nature of prohibitions and impediments, in order to preserve the sacredness of marriage and the sanctity of the Christian home.

These impediments are of two kinds: forbidding *(impedientia)* and invalidating *(dirimentia)*. The former make a marriage unlawful, but not invalid; thus, to marry a baptized Protestant with-

out a dispensation, to marry without religious ceremony or publication of the banns, to solemnize marriage during Advent and Lent, would render the marriage illicit but not invalid. The Church has no power to annul such unions, although the parties thereto are guilty of grievous sin, which after due repentance is forgiven in the Sacrament of Penance. The diriment impediments make a marriage null and void. Blackstone puts it thus:

"These disabilities make the contract void *ab initio*, and not merely voidable; not that they dissolve a contract already formed, but they render the parties incapable of performing any contract at all; they do not put asunder those who are joined together, but they previously hinder the junction, and, if any persons under these legal incapacities come together, it is a meretricious and not a matrimonial union."

This explanation is most important, as these words emphasize more clearly than the writer could state it the antecedent character of these impediments; they affect the right to give consent before the bond is contracted; but, if the marriage contract is valid at the moment of consent, these diriment impediments cannot subsequently dissolve the bond of Christian marriage.

The invalidating impediments, fifteen in number, either arise from the natural, the divine positive law, or are of ecclesiastical origin. The natural law, according to St. Thomas Aquinas, is nothing else than a participation of the eternal law of God existing within us; and to it is due our universal consciousness of the first principles of right and wrong. This natural law, either in its primary sense or in its practical deductions, nullifies a marriage if contracted with any of the following impediments: *Error,* marrying through mistake or fraud the wrong person; *grave fear or forcible abduction,* depriving one of freedom of consent or action under duress; *childhood,* if either of the contracting parties be too young to understand responsibility imposed by marriage; *impotency,* physical incapacity to fulfil the conjugal obligation; and, finally, *consanguinity* of parent and offspring. Fear, abduction and childhood are ecclesiastical impediments in so far as the Church defines the specific conditions; but, practically, they belong to the natural law.

The divine positive law, which is found in the Gospel, has promulgated the impediment of *ligamen,* the indissoluble bond preventing bigamy, polygamy and divorce.

The invalidating impediments of the ecclesiastical law have

been enacted by the Church from motives of highest prudence, supernatural wisdom, moral propriety and respect for the ideal purity that should adorn the holiest of human relations. Reverence for the Christian home has wisely ordained the impediments of *consanguinity* to the fourth degree (third cousins), of *affinity* to the same degree and of *spiritual* and *legal* relationship. At the sacred threshold of the home, by her command, stands reverence as an angel guardian of purity. Nothing defiled must enter therein. The *horror naturalis* of carnal intercourse with one's own flesh and blood underlies these impediments. There is a difference in kind between the affection a man has for kin and that which he has for his wife. These affections cannot be mingled with impunity. The first is sacred by nature; the second becomes holy by grace. Carnal love will pollute the first, whereas due reverence for its holy character will reflect chastity and purity in marriage. The Church has also in mind the physical advantage to the race from the fusion of distinctly separate blood in families. To blood relationship are akin affinity, spiritual relationship and legal adoption, because of the intimacy which naturally arises from such close association.

The Church's sense of public propriety and justice has created the two disabilities called *publica honestas* and *crimen.* The former prevents, after solemn espousals, marriage of one party with the immediate kin of the other; not infrequently a man engaged to the mother becomes fascinated with the daughter, and *vice versa.* Solemn espousals, however, are of rare occurrence in this country; and a promise of marriage is here only a forbidding impediment. *Crimen* arises from adultery committed with promise of marriage on death of lawful consort, or from the promoting of death to marry accomplice.

The necessity of public and legal formality induced the Council of Trent to decree the law of *clandestinity,* which requires the solemnization of marriage in the presence of the pastor and two witnesses, as clandestine marriage had become a grave abuse. In accord with this intention of the Church are the civil laws of license and registration, in force in nearly every State of the Union to secure publicity. This impediment of clandestinity is not a nullifying one in most parts of the United States.

The writer in his official capacity as chancellor is in a position to state that applications for dispensations from the fore-

going impediments are few and far between. Our Catholic people are so well instructed that the purpose of these impediments is fully realized in the deep sense of impropriety the faithful have of even contemplating marriage, where one of these impediments exists.

The one impediment above all others the Church has to deal with most frequently in the States arises from the difference of religion in the contracting parties. Too many non-Catholics, indeed, when choosing a wife, are attracted to our Catholic women. These "mixed marriages," as they are called, the Church would fain prevent. As she recognizes Christian baptism wherever she finds it, a marriage of a Catholic with a baptized Protestant is valid, even if contracted without dispensation, and this is called the impediment of mixed religion *(mixta religio)*. But disparity of worship *(disparitas cultus)* nullifies marriage between the baptized and unbaptized. The basis of this impediment, according to St. Thomas Aquinas, is the *distantia* between the two, the immeasurable gap that yawns between the natural and the supernatural order. Moreover, Christian faith is the "pearl of great price," and must not be exposed to the danger of loss by intermarriage with the unbelieving. The Israelites were forbidden by the Mosaic Law to marry the Canaanites for fear of being led to idolatry. St. Paul warns the faithful of Corinth against such intermarriage: "Bear not the yoke with unbelievers": and, again, "let her marry to whom she will: only in the Lord," (2 Cor., vi). The Pauline privilege (1 Cor., vii) is based on the same thought. The Apostle of the Gentiles clearly teaches that the newly converted Christian may leave the unbelieving consort and remarry, if the non-believer is unwilling to respect Christianity, thus becoming a menace to the recently acquired faith of the believer. Our Lord Himself places the value of the faith above all human relations, no matter how close or obligatory in themselves: "If any man come to me and hate not his father, and mother, and wife, and children, and brethren, and sisters, yea, and his own life also, he cannot be my disciple" (Luke xiv); that is, the Christian must be prepared to sacrifice all, if it be necessary to do so, in order to retain the true religion. But baptism is absolutely necessary for admission to faith in Christ and sonship with the Father. The words of the Redeemer are very plain: "Amen, amen, I say to thee, unless a man be

born again of water and the Holy Ghost, he cannot enter the kingdom of God" (John iii). How shocking, then, to Christian sentiment to find a bishop of the Protestant Episcopal Church, Dr. Doane, *calling the absence of baptism a mere technicality!*

With divine wisdom, therefore, the Church endeavors to keep her children from intermarrying with those outside her communion, as she has every reason from sad experience to dread the danger of perversion. When the Church does permit these mixed marriages, she always exacts, as an invariable condition, a written promise from the non-Catholic that he will not interfere with his wife or children in the practice of the Catholic religion.

It may be asked why the Church has injected the element of nullity or invalidity into her impediments. Because the graver impediments would have no proportionate sanction. If these impediments did not nullify, the indissoluble bond would be contracted, and thus, in accord with our fundamental principle, the marriage would be valid and beyond the power of the Church's law. Nor could she summon such a marriage before her tribunal for the test of validity.

As to the power of dispensation in the Church, it need hardly be stated that she has no authority to dispense in the invalidating impediments of the natural or the divine positive law. Her authority of dispensation is restricted to the impediments of ecclesiastical origin, and is correlative with the authority that enacted them. "A dispensation, in the strictest sense of the term, is given when the legal obligation, which previously bound both the community and the individual, is removed from the individual, while the law retains its obligatory force over the community with respect to the same subject-matter" (Suarez). The one sole intention of a legislator, if he be wise and prudent, in the enactment and promulgation of any law, must be to conserve the moral order in the community; and, if it should happen, as it will from time to time, that for some reason or other the law fails to accomplish its purpose in a particular case, a dispensation may not only be permitted, but should be granted, for sufficiently reasonable cause. The public good of society or religion and the eternal salvation of souls are the motives that guide the Church in the exercise of this prerogative. As a mother dealing with her children, she can be firm without severity, indulgent without laxity, and partial to the one without injustice to the other. The im-

pediments are instituted for the general good; the dispensation is granted whenever the best interests of the family are to be served within the proper limitation of right and just law. The discipline of the Church in regard to dispensations is very strict; they are only granted for one or more of the very grave and pressing reasons expressly stated in canon law.

Dispensation must not be confounded with the judicial declaration of annulment by a competent ecclesiastical tribunal. Dispensation is granted directly by the bishop, acting as the delegate of the Holy See; and no judicial procedure is necessary beyond the observance of the usual laws respecting impediments. But a question of fact may arise as to whether one of the parties be free to marry on account of some previous marriage. Neither a bishop, nor much less a priest, will attempt to decide a question of fact without submitting the case to the *curia*. The personnel and process of this tribunal are most formal and juridical. Before a judge appointed by the bishop, the plaintiff submits testimony through a competent advocate, to establish the non-existence of the disability charged, while the validity of the former marriage is presumed and maintained by the "Defender of the Marriage Bond," an official to be found in every diocese, distinguished for his learning, prudence, and experience. The decision of this court neither creates nor abrogates the impediment, but legally determines, after an extended, deliberate and conscientious examination of the testimony, the validity or the invalidity of the marriage as it was in fact at the time it was contracted. Quite frequently, no decision can be reached because it is often impossible to secure the unquestionably convincing testimony required. Although this process entails no little expense, it is open to the poor as well as to the rich; and the most humble working-man may have his cause pleaded gratuitously.

It would be a great mistake to regard in the same light this procedure in the Church with the divorce court instituted by civil law. The Church has ever before her the divine injunction, "What God hath joined together, let no man put asunder," and proceeds with a profound sense of responsibility in conscience to the Eternal Lawgiver. The State, acknowledging no superior authority in this matter, invests its judiciary with the legal power to break asunder the bond of Christian marriage, over which the Church claims no such jurisdiction.

Divorce and dispensation differ, *toto coelo,* in nature and consequence. Dispensation is antecedent, removing the impediment to make marriage indissoluble till death; divorce is subsequent, dissolving the bond, and it may be repeated again and again by the same parties. Dispensation is granted to conserve morality; divorce is centred in self-interest, if not gratification; and, as Kant has clearly demonstrated, to make self-interest the guardian of morality is to destroy morality. The impediments of the Catholic Church generally arise from permanent conditions in which a man finds himself, and over which he has little if any control; whereas divorce owes its genesis to human weakness and passion. No one lawfully wedded in the Catholic Church can create at will, for example, the impediment of consanguinity; but the opportunity to commit adultery need never be wanting.

The assumption of Bishop Doane that the Catholic Church is ever taking advantage of impediments to dissolve marriage is absurd and contrary to fact. If an ecclesiastical impediment be discovered after marriage, the Church very promptly removes the disability, and heals the marriage for all time. If, as the bishop charges, the impediments and dispensations of the Church are tantamount to divorce, it should be a fact known to all that there are "infinitely more" dissolutions of marriage in the Catholic Church than any other. Let us look into the facts. No general statistics from the various Catholic dioceses of the United States are at hand; but, fortunately, in a work published in 1899, "*Le Mariage devant les Tribunaux Ecclésiastiques*" (Bassibey), we find an official comparison made between the number of annulments in the Church and the number of divorces granted by the State in France, from 1887 to 1896. Prior to 1886, the year in which divorce was legalized in France by an anti-Catholic government against the solemn protest of the Church, only "some few cases" from France were before the S. Congregation of the Council in Rome during a period of eighty years. The divorces in France from 1887 to 1896 numbered about 57,000; in the same period of ten years, 63 petitions for annulment were passed upon by the Church; of this number 16 were declared valid, 47 invalid, of which latter number 37 had never been consummated. Last year, in the City of New York, there were at least 15,000 Catholic marriages, including mixed marriages; and, from experience, it is safe to say that, of these 15,000 marriages, not even five will

ever be questioned as to validity; and, if there should be five, at least three will be invalid on the ground of bigamy.

It would be an impossible task, within the limited space of this article, to point out fully the "innumerable and countless" errors and mistakes of Bishop Doane. Let it suffice to state that he errs in the following instances: (1) He is in error when he applies such terms as "infinitely more," "innumerable" and "countless" to the number of impediments in the Catholic Church: the fact is that, as has been already said, there are fifteen impediments in all, seven belonging to the natural and the divine positive law, the remaining eight practically reducible to three or four. (2) He is in error when he says: "Rome rebaptizes all converts, and invalidates all baptism but Roman baptism": the Church neither does the one nor can she do the other; she does baptize conditionally when there is doubt as to the validity of the non-Catholic baptism; when the late Rev. Father De Costa, for many years an Episcopalian minister, came into the Catholic Church, his baptism was considered absolutely valid, and he was never rebaptized. The same may be said of Dr. L. Silliman Ives, late Bishop of the Protestant Episcopal Church in North Carolina, who, in his farewell letter to his fellow bishops and clergy, on entering the bosom of the Catholic Church, viewed Rome thus:

"It is due to you and myself, as it is more especially to the cause of God, that I yield, without loss of time, to the promptings of my heart and conscience, and lay before you, as best I can, the reasons which have constrained me to take so serious, and to many dear ones, as well as to myself, so trying a step as that of abandoning the position in which I had acted as a Minister of the Protestant Episcopal Church for more than thirty years, and as a Bishop of the same for more than twenty years, and of seeking, at my time of life, admission, as a mere layman, into 'the Holy Catholic Church,' and with no prospect before me but simply peace of conscience, and the salvation of my soul" *(Trials of a Mind)*.

(3) He is in error when he says: "Rome regards as dissoluble marriage between a Catholic and baptized non-Catholic"; as we have already seen, the difference of religion is only an invalidating impediment when the non-Catholic is unbaptized. It may be true that "the defender of the Roman system," as Bishop Doane says, "if cornered by one difficulty, escapes through some other opening": a tyro at chess sometimes is disposed to think that he has cornered his more expert opponent, only to find the latter is entitled to another move which checkmates.

The facts about the marriage of Louis XII of France are these: Louis XI, the father of Joanna, used violence and imprisonment to compel Louis XII to marry Joanna, a deformed princess from whom Louis XII could never hope for offspring. The marriage was never consummated; and Louis XII had to wait twenty-two years until the death of Charles VIII, who would not suffer the rejection of his sister. As we have seen, violence such as this is an invalidating impediment founded on the natural law. Bishop Doane makes one of the grounds for the annulment the fact that Louis XII and Joanna were fourth cousins; but the fifth degree of consanguinity (fourth cousins) was not an invalidating impediment from the time of the IV Lateran Council, 1215.

As to holding the Catholic Church responsible for the unholy and unclean marriages of Henry VIII, which Bishop Doane does, it might best be answered by saying that the Catholic Church would be held accountable by some people for the sin of Adam, if she were not able to establish a satisfactory alibi. His argument would destroy personal moral responsibility, and God Himself might be censured for the fall of our first parents. Whether Henry VIII be a product of the Roman system or not, he certainly is the progenitor of the Church of England, of which, according to Archdeacon Tiffany, "the Protestant Episcopal Church is the lineal and legitimate descendant."

It is an historical fact that Pius VII never consented to the divorce of Napoleon and Josephine. What the Anglican Archbishop of Canterbury did for Henry VIII, some French bishops did for Napoleon. The words of Leo XIII (*"Arcanum"*) are here timely:

> "Future ages will admire the courageous documents published by Nicholas I against Lothair, by Urban II and Paschal II against Philip I of France, by Celestine III and Innocent III against Philip II of France, by Clement VII and Paul III against Henry VIII, and, lastly, by Pius VII, that brave and holy Pontiff, against Napoleon I, in the height of his prosperity and power."

Truly, indeed, in the history of the nations the defence of marriage by the Catholic Church has been a constant struggle and a glorious martyrdom for principle, characterized, like the Passion of the Saviour, with "meekness amid insults, patience under injustice, and fortitude against aggression."

P. J. HAYES.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: BERLIN: WASHINGTON.

LONDON, *April, 1905.*

DURING the past month there has been a good deal of talk in England about the Anglo-Japanese Agreement and the prospects and conditions of its renewal. The Agreement, it may be remembered, was signed in London on January 30th, 1902, came into effect immediately, and was to remain in force for five years after that date—that is to say, up to January 30th, 1907. Provision was made for its termination by twelve months' notice on either side, but this provision was modified by an agreement that if, on the date fixed for its expiration, either ally should be actually engaged in war, the Alliance should be continued until the conclusion of peace. The situation, therefore, is this: So long as the war lasts, the Agreement lasts; but, supposing the war to be then at an end, it will be open to any British Cabinet that is in office on January 30th, 1906, to notify Japan that the Agreement is to terminate a year later. The connection between this situation and the exigencies of domestic politics lies, of course, in the fact that on January 30th of next year the present Government may, and probably will, be out of power, and their place may have been taken by the Liberals, who did not frame the Agreement, who never very cordially welcomed it, and who may feel inclined to denounce it. It is these contingent possibilities that have inspired the discussion of the past few weeks and given to it, I need scarcely add, a somewhat factitious and partisan character. The Conservative journals, headed by "The Times," have demanded from the Liberal leaders a point-blank declaration of their views in the matter. But the Liberals have been in Opposition for ten years and are in Opposition now. They cannot, that is, except by hearsay, know all the facts. They have at

present absolutely no diplomatic standing, can neither make nor receive overtures on any sure and recognized basis, are debarred both from opening and from entering into the necessary *pourparlers*, and are, besides, well within their rights and the essential proprieties of the situation in declining to commit themselves in advance on so delicate and complex a question. Most of the Liberal leaders have, therefore, met with unaccommodating silence the attempt to extract from them at this stage a definite assurance. Lord Rosebery, however, who, whether he is a leader or not, speaks on foreign affairs with more authority than any other Liberal, announced a few weeks ago that "the great probability is that, when the Alliance was to be renewed, supposing it to be renewed on terms not unfavorable to this country, the gentlemen who would then be intrusted with the government of the country would feel it their duty and honor to continue the Treaty." This declaration was really quite unnecessary. Partisanship itself cannot affect to misunderstand the sense of the country on this momentous issue. The British people have willed a renewal of the Anglo-Japanese compact as unanimously as France and the French people declared for the Dual Alliance long before it was consummated. It is a question they have taken out of the hands of officialdom and made their own; one that they have thought out on its merits and apart from any consideration of urgency; one that may be said to mark a really national introduction to the study of foreign affairs, and the beginnings of a really national policy. Just as England has revolted from the pro-German tendencies that for the last thirty years have directed, or misdirected, her foreign policy; just as she has pronounced clearly and repeatedly in favor of closer and ever closer relations with the United States and France: so she has unmistakably indicated the course that is to be followed in regard to the Agreement with Japan. There is nothing to be feared on this score from a Liberal Government. It may be taken as axiomatic that both England and Japan stand ready to renew their Alliance. The question, in that preliminary aspect of it, may be looked upon as settled.

But another and a graver question arises. The compact is to be continued—but upon what terms? It may be urged, and many do urge, that that is a point which it is altogether premature to debate at present. The conditions that will determine it have yet to come into existence. Until we know the terms of peace and

can gauge their probable effects on Far-Eastern and other politics, it is a mere speculation in assumptions even to consider the possibility of altering the terms of the present Agreement. The war, again, is not yet over, and it may conceivably drag on for a couple of years longer—by the withdrawal, for instance, of the Russian troops to the Baikal region, while a new and overwhelming fleet is being built. Moreover, there is an entire ignorance as to how far the Continental Powers may feel inclined or impelled to take a hand in the peace negotiations. Objections such as these are constantly being brought forward to shut down discussion of the conditions on which the Agreement should be renewed. Nevertheless, discussion continues; and it must, I think, be very evident to a looker-on that the way is being prepared, not merely for the renewal of the Anglo-Japanese Agreement, but for its expansion—its development, in fact, into an offensive and defensive alliance that would guarantee, by the whole force of both Powers, the Asiatic possessions of each.

I may briefly indicate the arguments that are employed to recommend this far-reaching project to the British people. There are, it is said, four courses which it is possible to pursue in regard to the Anglo-Japanese Agreement. It may be denounced, it may be renewed as it stands, it may be modified, or it may be strengthened and enlarged. Nobody, as I have said, dreams of its denunciation. Both by policy and inclination, the British people are absolutely committed to continuing it. Should it, then, be renewed on its present terms? To do that, it is contended, would be to commit an anachronism. It would amount to judging Far-Eastern problems in 1905 or 1906 as though nothing had occurred since 1902 to alter them, as though there had been no war, as though the collapse of Russia were an insignificant detail, as though the situation of to-day and of the immediate future were in all respects what it was three or four years ago. The "Outlook" recently put these points as forcibly as they can be put:

"What in 1902 were contingencies to be guarded against have become in 1905, some of them actualities, others impossibilities; and calculations based on what might be have now to be revised in the light of what is. It would, for instance, be little less than meaningless for Great Britain and Japan to renew those portions of the Agreement that dealt with Corea. Corea is now in safe hands; Corea has ceased, since 1902, to be an international issue; and the references to it in the Agreement have now a merely historical interest. The very fact that a compact which

was arranged 'to maintain the *status quo* and general peace in the extreme East' has failed to maintain either, is in itself a supreme argument against renewing it on the old terms—unless, indeed, we intend its renewal to have no real meaning, and no relationship to the facts of to-day and of the immediate future, and to be rather an exchange of compliments than a serious and deliberate stroke of policy. Such, of course, is neither the British nor the Japanese intention; and no absurdity could well be greater than for the statesmanship of either country to pretend that everything is as it was in 1902, and that the greatest event in Far-Eastern history leaves the conditions and problems of the Far East sublimely unchanged."

The advocates of an offensive and defensive Alliance proceed to argue that everything which tells against the renewal of the Agreement on its old terms, tells just as strongly against its renewal in a more modified form. If, they ask, the Agreement was too weak to preserve the peace, how shall we better matters by making it weaker still? In short, they are seeking to convince the country that, when the war is over, Great Britain and Japan will have reached a point where the present Agreement between them will either have to be discarded or strengthened. They maintain that, as it stands now, it is outworn, and inapplicable to the conditions that have arisen since its negotiation; that to abridge it is virtually to nullify it; and that nothing, therefore, remains but its abandonment or its expansion. By converting it into an instrument that will bind Great Britain and Japan to go to each other's assistance, if attacked in Asia, not, as now, by two Powers, but by a single Power, they hold that both nations stand to gain. Such an Alliance, they argue, would give to Japan that final and absolute security which, for an island-kingdom, can only reside in an overwhelming naval supremacy. All, and more than all, that the Dual Alliance has been to France, the Anglo-Japanese Alliance would be to Japan. So long as it existed, whatever settlement the present war may end in would have the vital assurance of permanence. To reopen it at a moment, or under conditions, unfavorable to Japan, would then become both a physical and a political impossibility, and the Mikado's subjects would be left free to husband their resources and consolidate their interests in China and Corea in undistracted tranquillity. Reasons of finance, politics and strategy combine, in short, to reinforce and commend the advantages which Japan would derive from a hard and fast alliance with the strongest naval Power in the world.

Nor, it is said, would the bargain be one-sided. Driven back from the Pacific, Russia, unless all Russian history is a lie, will infallibly seek compensation elsewhere; nor is it safe to assume that a reorganized and "liberalized" Russia will seek it less eagerly than the autocratic Russia of the present and the past. The only compensation that will permanently satisfy her ambitions lies in the direction of Constantinople or of the Persian Gulf or of the Indian frontier. Those who read, in last month's issue of this REVIEW, the masterly and comprehensive article by "Anglo-Indian" will have obtained a clear idea of the difficulties that confront Lord Kitchener and Lord Curzon on the North-west frontier. Are those difficulties likely to be increased or diminished as the result of the collapse of Russia in the Far East? Will the menace of a Russian invasion be less or greater than it was, should Russia be forced to abandon, for another decade at least, her scheme of expansion in Northern Asia? That is a question which it would require a very considerable knowledge of Russian history and of Russian internal conditions to answer at all adequately, as well as a greater hardihood in political speculation than I can plead guilty to. I therefore abstain from suggesting any answer on my own responsibility, and content myself with setting down such opinions as I have been able to gather from more or less authoritative sources. These opinions may be summarized in the general statement that, while the immediate menace is held to be less, the ultimate menace is considered greater than it was; that Russia, while undeniably weakened by the war, will recover her strength; and that, if her path is barred in the Far East, she will be all the more likely to turn her attention towards Afghanistan or the Persian Gulf. This, evidently, is the conclusion which the Government have adopted. The military estimates, which, as I write, are being debated in the House of Commons, are based upon the assumption that Great Britain must be prepared in future to provide a much larger number of troops to meet the Russian peril on the Indian frontier than were ever before contemplated. In other words, so far as the Anglo-Japanese Agreement has helped Japan to hurl Russia from the Pacific, it is just as likely that we in England, and not the Japanese, may be the chief sufferers by the recoil. The enthusiasts for the projected Alliance make the utmost of this argument. It is, indeed, the keystone of their contention. Their premises

may, of course, be disputed, but scarcely their conclusions. Once admitting that further precautions are necessary or advisable, it is all but undeniable that no precaution could be more instantaneously or more lastingly effective than an Alliance that would weld together the military prowess of Japan and the naval might of Great Britain. Such an Alliance would, in all human probability, succeed, where the palliative of the Agreement failed; it would not only keep the peace, it would irresistibly impose it.

It is far too early to say that the British people have come to any definite conclusion on this great problem; but they are turning it over, and there are not wanting signs that they are well disposed towards the bolder solution. On the other hand, I hardly think it premature to say that their minds are already made up on a correlated issue of not less complexity and moment—I mean the peace negotiations. It is perfectly clear to any one who really knows England that the temper of the country will not tolerate any attempt, on the part of European Powers, to repeat the stratagem of ten years ago and rob Japan of the fruits of her victory. Great Britain is determined, if the need arises, to stand by Japan in demanding and obtaining that security for which the Mikado went to war, and without which he will not make peace. I do not by that mean it to be understood that this country would necessarily support Japan on the indemnity question. She might or she might not; but, apart from that, she is certainly prepared to join with Japan in resisting, let us say, a proposal to convert Manchuria and Corea into neutral buffer-states under a guarantee of all the Powers, or to place the Manchurian railway under international control. If Japan decides that her future is liable to be jeopardized unless the Russians retire from Manchuria and abandon Port Arthur, Vladivostok and Saghalin, she would not rely upon Great Britain in vain for such assistance as might be necessary to prevent "third parties" from attempting to whittle down these stipulations. That, I think, may be taken as axiomatic, nor does it involve any rupture, temporary or permanent, in the admirably cordial and sympathetic relations that now exist between Great Britain and France. The Kaiser's challenge to the Anglo-French *entente* in Morocco has merely had the result of drawing the two countries closer together. Their colonial policies have been harmonized; their European policy—the isolation, namely, of Germany—is identical; and the future may

easily convert the Anglo-French Agreement of a year ago into an instrument of a more binding and lasting character. The foreign policy of Great Britain is, indeed, at this moment singularly free, spacious and progressive. Englishmen turn to the consideration of their external affairs with relief from the round of small intrigues and mystifications to which Mr. Balfour has reduced their domestic politics.

ST. PETERSBURG, *April, 1905.*

RUSSIA in her present condition may aptly be compared to a squirrel turning a treadwheel in a capacious cage, vigorously striking the treadle with its feet, but making no advance whatever. She cannot be said to be in a state of lethargy or quiescence; on the contrary, she displays plenty of thought and action; her nerves and muscles are brought into vigorous play, and the resulting movement is brisk and continuous. But there is no advance. She has not moved forward, is not moving forward swiftly or slowly: where she was when she first awoke from the coma of ages last summer, there she is at this present moment. It is a spectacle which may well be termed tragic: in the foreground a nation of 140 millions struggling forward with all their might towards the Promised Land; and, away in the background, a dim, shadowy figure holding them back by virtue of a mystic and almost magic power.

Every element of the population has deliberately recorded its belief that things can no longer go on as they have been and still are going on, that there must be a radical and a speedy change. After some fruitless resistance, the Tsar himself, in manifestoes and ukases, repeated these propositions in language appropriate to a ruler, and admitted that reform was an imperious necessity, a question of life or death, seeing that law had for generations been supplanted by caprice and order was being maintained by brute force. And he undertook that all this should be thoroughly remedied. Then came the further promises that to thoroughness speed should be added. But these undertakings have not yet been fulfilled. Far from that, there are good grounds for believing that no intention exists of carrying them out. In other words, the history of all struggles between kings and peoples is repeating itself in Russia, and the people can hope for nothing but what it wrests from the Tsar.

That was clearly evidenced by the last two documents which issued from the pen of the Autocrat of all the Russias. In the first of these, which was the result of a spontaneous impulse, the Emperor announces his determination to withstand the encroachment of democracy on his unlimited power. The heads of the Liberal movement are described therein as evil-minded leaders blinded by pride, "who make insolent attacks upon the Holy Orthodox Church and the lawfully established pillars of the Russian State." The people are adjured to turn from those godless spirits and rally round the throne. Feeble words, which, if they have any meaning at all, constitute a solicitation to national suicide! That document was conceived in secret and published in haste. The very ministers and official advisers, whom the Tsar had publicly charged with the task of solving the whole question of reforms, were kept in ignorance of Nicholas's intention to issue it, and they knew nothing of it until they read it in print. Nay, the law was deliberately broken in order to enable His Majesty to have it printed in the "Government Messenger." According to the statute, the manifesto ought to have been presented to the Senate before being set in type; but, by an expeditious use of the telephone, the responsible editor of the "Government Messenger" was ordered to break the law. To all his protests, the answer was returned: "It is His Majesty's desire." Considering that, no further back than last Christmas Day, His Majesty himself had expressly stated in his ukase that law was one of the pillars of Autocracy, and that he was resolved to restore its reign and suppress administrative caprice at all costs, it is natural that this illegal act should have caused a painful impression and produced a demoralizing effect. For the responsible editor had to be publicly reprimanded and privately thanked.

But the manifesto was itself as reprehensible as the manner in which it was promulgated. That was, at least, the opinion of the ministers, who resolved among themselves to oppose force to cunning, and to oblige Nicholas II to undo by means of a second document the mischief which he had produced by the first. It was a unique combination, and, six months ago, it would have caused the dismissal and disgrace, and probably the banishment from St. Petersburg, of the insolent dignitaries. But Nicholas II, taken by surprise, had to sign the rescript, drawn up by M. Witte long before, and in this way to condemn in the evening the doctrines

which he had preached in the morning. It was the first public humiliation which any Tsar ever yet endured.

But Nicholas II was not put out by that rebuff. He had his view adopted by the Holy Orthodox Church and his manifesto read from all the altars throughout the Empire. The manifesto, but not the rescript. The rescript which announces the Tsar's resolve to convene the worthiest men "possessing the confidence of the people, and elected by them to participate in the elaboration and consideration of legislative measures," was tabooed. Priests and pastors were silent about it, monarchist journals ignored it and the police would have suppressed it as they had suppressed the imperial ukase of December in some parts of the Empire because it was a concession to the Liberals. "The Emperor ought not to have written such things," a censor once said to a journalist who wished to reproduce a speech of Alexander II. And the comments of the priests on the unctuous manifesto were mischievous. In that document, the Tsar reminded all authorities of their duties and their service-oath, and called upon them "to display increased solicitude in the safeguarding of law, order and security." These words were construed by priests and police as an exhortation to spread and intensify coercion. And this was a virtual declaration of war between ruler and ruled. Since then, the police has carried out the supposed recommendation, and contemporary Russian history is made up of the results. On the one hand, the guardians of order, including the Church officials, endeavor by every means, licit and illicit, to stem the popular current which threatens to sweep away Autocracy; and, on the other hand, the Russian people strives, by dint, now of peaceful agitation, now of violent acts, to intimidate a group which it can neither persuade nor convince. Hence, newspapers are suppressed; educated citizens are being put in prison; public lectures are being forbidden; doctors, lawyers, engineers are threatened with severe penalties if they meet in congress; physicians must not concert measures against the cholera; detectives and Cossacks drive the audience out of theatres, surround schools, attack prisoners, search private dwellings and, in many respects, treat the people as a conquered race. And the people are not behindhand in confronting force with force: revolutionary leaflets, anti-governmental journals, strikes, associations, plots, political assassinations and agrarian riots are some of the forms of opposition resorted to by the nation.

Class has been incited against class, nationality embittered against nationality by the police acting in the supposed interests of the Autocracy. The clergy, too, as mere officials, seconded the efforts of the detectives, and in the name of the Deity egged on one element of the population against another. The "intellectuals"—they assured their flocks—had been bribed by Japan and England to rebel against the Tsar and ought, therefore, to be suppressed without ruth. They deserve the fate of Judas or worse. And in some cases the congregations, whose passions were thoroughly roused, went straight from the church to the schools and attacked them. The priests who thus made mischief were not rural clergymen only; in many cases, they were responsible clerics who ought to have known better. The Rector of the Ecclesiastical Seminary of Minsk, for example, likened to the devil all subjects of the Tsar who desired a legislative assembly. They were tempting, he said, the Lord's Anointed, as the Evil One had tempted Jesus Christ. Nicholas II must have regarded it in the same light; for, after having yielded to the temptation, he repented. In Saratoff, money was offered by agents of the police to the scum of the populace by way of inducing them to fall foul of students. In Pskoff, the guardians of public order hired ruffians for a quarter of a dollar to beat the intellectuals, and then paid them only fifteen cents. They went still further: for, disguising themselves as doorkeepers, roughs and tramps, they themselves took a very active part in the fray. In St. Petersburg, the Superintendent of Police summoned all the doorkeepers of the houses in his ward, and offered them prize-money of from one to two dollars for "taking by the scruff of the neck and dragging in here to me every one who talks about the Government, and every one who looks suspicious." To be a student or a scholar, or to belong to the intelligent classes, is now a crime. To talk about the Government is treason.

What befalls the people who get into the clutches of the police is often worse than what happened to them when Plehve was all-powerful. If they escape with a thorough beating, they may consider themselves not unlucky: in a few cases they are said to disappear altogether.

Nor is it only in provincial towns that this flagrant breach of law has been raised to the level of a system by the "Tsar's brigade," as the police has been called. In St. Petersburg and Mos-

cow, the practice is the same. A few days ago, a lady walking along one of the thoroughfares of St. Petersburg saw a woman gazing now at one, now at another, of the passers-by with an imploring look, as though she desired, yet feared, to confide her troubles to them. The lady then asked whether anything had gone wrong with her; whereupon she fell a-sobbing, and for a time could make no reply. Finally, she said: "My husband . . . is gone. He was a workman. . . . in the Putiloff Works here. . . Several days ago, he was sent for by the police, and he went to the station. . . . Since then he has not come back. And I am alone now. . . . I mean not alone. . . . I have two children in arms, but there is no one to work for them." Asked what her husband had done, she could give no answer. She only knew that he had never been accused of any offence. She wanted to find out whether he would be tried or set free or banished. But her desire was vain. "Police violence is in vogue in Samara," writes one of the principal newspapers of Russia; "the police is addicted to pummelling at all times in the streets and in the torture-cells of the temporary gaol. . . . Murders, robberies, larcenies, assaults by roughs are daily occurrences. And the police is either unable or unwilling to discover the perpetrators; nay, it refuses to protect the victims during the attacks."

How the Tsar's friends can permit the monarch thus to forfeit the affection and esteem of his subjects who still entertain these sentiments towards him, is an enigma. But they go further: they encourage an innovation which even Plehve never ventured to introduce. Law was formerly restricted or abolished by high dignitaries or such imperial institutions as the Council of Ministers. Now it is being circumscribed or repealed by the police. On the 3rd of March last, Nicholas II bestowed upon his people the right of forwarding petitions to the Government respecting imperial needs. This right he conferred upon individuals and institutions. Sixteen days later, the principal men of letters in Russia agreed to meet and draw up a petition to the Government. But the police forbade the meeting; and, when the authors pointed to the Tsar's ukase, the Prefect answered: "I am empowered to interpret that document as bestowing the right of petition upon private persons *singly*, but it does not authorize several persons to meet and discuss."

The other concessions of Nicholas II are being construed in a

similar restrictive fashion. The labor commission which he created under the chairmanship of Senator Shidloffsky was dissolved, because the Government, having ordered the workmen to choose representatives, refused to guarantee the elected spokesmen immunity from arrest. The commission which he appointed to consider the advisability of freeing the press from restrictions still sits regularly in one building, while in another, not far away, newspapers are being gagged, correct information being suppressed and misleading data circulated.

That is why scant faith is expressed or felt by the Tsar's subjects in his promise of a legislative assembly. People hold that Nicholas II is generous of promises and chary of fulfilment. The historic rescript of March 3rd was to usher in a new era. The people and the Autocracy were to draw near to each other, the wolf to dwell with the lamb, and the bureaucracy, which served as a partition separating monarch and people, was to be cut down. In reality, the hand of the bureaucracy has been made stronger than before, the press has been effectively muzzled, law has been superseded by police caprice and the last state of Russia is much worse than the first. If any hopes had been entertained that the Minister of the Interior would make reasonable haste and embody the concession in a working institution, it has been dispelled by the Government communication of the last day of March. That hazy document deprives the Special Commission which was to have organized a legislative assembly of the right of fulfilling its destination. It transfers that right to the Council of Ministers —a subservient body under the presidency of Nicholas II—and puts off practical measures to St. Tibb's Eve.

Such are the tactics of the Government: systematized cunning and organized force employed without regard to consequences. And congruously with those tactics the methods of the people were regulated. At first, timid requests, humble petitions, respectful remonstrances. These, being soon forbidden, were succeeded by passive resistance in the form of strikes. And after the massacre of unarmed people by the troops, Russia entered upon the last stage: force combined with fanaticism and ruse. At present, obnoxious officers, civil servants and police officials are being shot at sight, just as dangerous characters used to be "potted" by the gold-diggers of the Wild West. And the men who execute them, sure of public approbation, are seldom caught red-handed, and

hardly ever traced later on. A bullet in lieu of a leading article, a bomb instead of a humble petition. And the authorities are literally powerless. Nobody now asks their authorization, few heed their prohibitions. The people throughout Russia proper, as in the Caucasus, is become a law unto itself. What, a short time ago, would have been a treasonable conspiracy is now a national strike, for what the authorities were powerless to hinder they have condescended to approve—*post factum*.

It was thus that professors and students struck work throughout the Empire, resolving not to resume occupation before September. The Minister of Public Instruction—a military man of modest cultural acquirements—threatened to punish them with the utmost severity of the law. To no purpose. Then Majesty bestirred itself. The Tsar ordered the Minister to inform the professors that it was his will they should return to their lecture-rooms without more ado, and, at the same time, he bade the Committee of Ministers to give the matter their early and earnest consideration. Of punishments, he added, they were not to be chary, in case argument should prove ineffectual. But Witte, the grim President, demurred. The University question, he said, was but an aspect of the Russian problem, and should not be dealt with apart from that. Meanwhile, the professors in European and Asiatic Russia again deliberated and again refused to yield. The Ministry might refuse to pay them their salary or might punish them, as it would, but they would not be false to their convictions. Then the Government yielded.

And now a feeling of solidarity is growing up among all the literate subjects of the Tsar. The liberal professions are banded together as one man. All the engineers of Russia form a league, which has been vainly prohibited by the police. The lawyers are preparing to form an association of their own, with ramifications all over the Tsardom. The professors of Universities and High Schools are about to organize themselves into a corporate body, with a president, a council and a fund, to demand academic autonomy and liberty of teaching. The doctors, who have just met together in congress to concert measures against the cholera, have declared that the common people have been rendered rebellious to medical advice, in consequence of the legend inculcated by the clergy and the police that the educated classes have been bribed by the Japanese and British. Therefore, to help the people

against the cholera, their confidence must first be won back, and that can be done only by the press, which ought to be freed from all irksome restrictions. Even the Zemstvos are agitating for a central club. In a few months, therefore, the intelligent classes will be leagued together against ignorance and oppression.

But, meanwhile, the illiterate masses, the workmen and the peasants, may rise; nay, according to all trustworthy forecasts, will rise in May—and this time to strike a serious blow. The operatives, who are not wholly unorganized, know exactly what they want, and understand why they failed to obtain it last January. Hence in May they mean to use force against force. Rifles and revolvers, even, if they could procure them, would make but a poor show against quick-firing guns; therefore, they are determined, it is said, to carry hand-bombs, called "tangerines" because they are no bigger than small oranges. It is a resolution fraught with calamitous results, moral as well as physical, to the whole Russian people. Never before has a revolution been carried on with the help of such destructive engines, and it may well be doubted whether ever before the ethical principles of a nation underwent such a serious modification as is involved in the frank approval of political assassination. A general strike, then, and a series of dynamite outrages are the programme for May.

What the peasantry will do is included in no programme, predicted in no forecast. They are one of the incalculable forces of the revolution. Almost indifferent to political privileges, they are eager to obtain possession of the land. The long-fostered notion that it is theirs by right is now a settled conviction, for which, when they come together in bands, they are willing to fight like heroes or die like martyrs. Already, they have laid waste vast estates, looted manors and country houses, and burned sugar refineries to the ground in eleven States or Governments. Competent authorities on the subject affirm that in Spring the movement will spread with elemental force. In some places, the tillers of the soil announce that they will not allow the landowners to sow their fields in Spring. In several districts, they have cut down the timber belonging to the squires, carted away their corn, taken and sold their hay. In a few villages of the Government of Chernigoff, they are said to have used "tangerines." In the Baltic provinces, they have upset all order and reduced the administration of the rural districts to a chaotic

welter. Landowners are fleeing to the cities. Troops are being despatched to the villages: gendarmes have been attacked and defeated by armed bands in the south.

All this might have been hindered a few months ago. It might still be moderated to-day, if there were a statesman in power capable of uttering the magic word. But Witte is under a black cloud. Nicholas II is his own statesman and Russia must endure her fate. He holds that the Autocracy is indispensable to Russia, just as Russian domination in the Pacific is indispensable to the world. In order that he may be right, all Russia must be wrong in one case, and the whole world in the other.

BERLIN, *April, 1905.*

ONCE more the eyes of Europe are focussed on the German Emperor, who after a period of comparative retirement has reappeared, with dramatic suddenness, in the foreground of World-Politics. The scene of his reappearance was Tangier, which he visited on March 31st with the object of proclaiming that Morocco —in defiance of Anglo-French Declarations and Hispano-French Secret Conventions—must remain "a free and independent country." In order properly to appreciate the sensational action of the German sovereign, it is necessary to recall for a few moments some of the events of the past year, beginning with the month of April, when the Anglo-French understanding was first made public. Incredible as it may appear, it is yet a fact that the German Government steadfastly refused, until the last moment, to believe in the possibility of such an understanding. It pinned its faith resolutely to the Bismarckian maxim of the irreconcilableness of Anglo-French interests, as represented by Egypt, on the one hand, and Tunis and Morocco, on the other. On that maxim was first constructed the theory of German foreign policy, which was to distract France from her "hypnotic preoccupation" with the "hole in the Vosges," by creating interests and enemies for her elsewhere. By inciting France to seize Tunis, Bismarck, as he more than once boasted, designed to place a permanent strain on her relations with Italy, in the same way as he hoped, by encouraging the British occupation of Egypt, to erect an insuperable barrier between Great Britain and France. For many years, events justified the German calculations. Italy was fettered to the Triple Alliance by her apprehensions for the future of

Tripoli, which is menaced from Tunis, while Great Britain was bound to Italy by the tie of mutual antagonism to France. The Fashoda incident shed a flood of light on the Teutonic standpoint. It brought Great Britain and France to the brink of war; and, amid the din of the conflict, the voice of Germany could be plainly heard exhorting France to note that Great Britain was, after all, the only "hereditary enemy." France appreciated the message at its true worth, settled her quarrel with Great Britain, and, under the sagacious guidance of M. Delcassé, set to work to balk the German tactics. She negotiated an understanding with Italy, whose right of preemption to the Turkish province of Tripoli she confirmed, in exchange for Italy's recognition of the preeminence of French interests in Morocco. Germany, though her stake in Morocco was considerable, did not for the moment take alarm. She gazed indulgently on her Italian partner's "extra dance," as Count von Bülow styled it, and exultantly rubbed her hands in the thought that the Southern Pillar of Hercules would now prove a fatal source of discord between Paris and London. But, in the mean time, Anglo-German antagonism, fed by the South-African War, had assumed formidable proportions, and in the soil of common hostility to Germany were sown the seeds of the Anglo-French understanding. Germany was not quite blind to the growth of affairs, but she relied on the Far-Eastern War to devastate the diplomatic harvest which the British and French Governments were bent on gathering. She was convinced that, as long as that war lasted, harmony between the allies of the belligerents was an impossibility. And it was in this conviction that the German Emperor started last year on his Mediterranean cruise. He visited Spain and Italy, but, to his chagrin, encountered the influence of France in both countries. He passed on to Malta, and amused himself by inspecting the British naval forces at that station. He had already telegraphed his congratulations to King Edward on their efficiency, when the announcement reached him that the Anglo-French Agreement was perfect. The Emperor was dumfounded. Vainly he sought for consolation in the text of the Agreement, which was forwarded to him with all possible speed: its contents shattered his most cherished theories of the Balance of Power, and brought him face to face with the phantom of German isolation. To allay that phantom, he planned a chance meeting with President Loubet, who was then on his way

to visit the Emperor's Italian "ally." But, though the "Hohenzollern" hovered about the coast for several days, it failed to gain a glimpse of the Presidential yacht, which had purposely given it a wide berth. In a mood of intense irritation, the Kaiser cut short his tour, and hurriedly returned to the Fatherland; for he was by this time convinced that a gigantic anti-German plot was in process of being hatched, and that the diplomacy of France was establishing a coalition which would be capable, not only of ignoring Germany's interests in Morocco, but also of countering her policy in Europe and Asia Minor. He gave vent to his anxieties in a series of explosive speeches, which he delivered close to the French border. At Carlsruhe he eloquently invoked the memories of Wörth, Weissenburg and Sedan. "I hope," he said, "that our peace will not be disturbed, but the events which are now agitating the world seem designed to admonish us . . . to steel our courage, and clear our eyes in view of the necessity, which may be imposed upon us, of intervening in the politics of the world." In his oration at Mayence he was even more explicit. After alluding again to the prospects of a breach of the European peace, he dwelt on the strategic value of the new bridge over the Rhine, which he had that morning opened to traffic. He was sure, he said, that the bridge would stand Germany in good stead, should she ever be obliged to pass her columns across it. These sombre utterances were vigorously exploited by the Pan-German orators. Germany, these political freebooters exclaimed, had an indefeasible right to a naval port on the Atlantic coast of Morocco; and, if the Sultanate was to be divided, she must also claim a strip of territory adapted to the purposes of colonization. To achieve these ends, Germany must defy France and, in the Imperial phrase, promptly "intervene in the politics of the world." As usual, the Emperor's eloquence had been misunderstood. He was far from advocating offensive diplomatic operations at that juncture. Imbued with the idea that he was isolated, he had, indeed, decided upon a waiting policy. But, in order that the nation might appreciate his attitude, he caused to be widely circulated throughout the Empire a symbolical illustration of the situation. In that picture, which forthwith decorated the shop-windows of the Capital, the Kaiser was depicted, in pilot's uniform, at the helm of the good ship "Deutsches Reich." Around the stout vessel a terrible hurricane was raging; the waves were of engulfing

volume; but, in the look of alert determination which marked the features of the pilot, lay the assurance that the storm would be safely weathered.

The waiting policy endured for nearly a year. In the interval, France had propounded the doctrine of "pacific penetration." She had assumed responsibility, in the eyes of the majority of nations, for the maintenance of order in the Sultanate. With Spain she had concluded a Secret Convention, providing, so it is supposed, for the division of Morocco into spheres of influence, with Tangier and Tetuan as the Spanish share, at the end of thirty years. And to Fez the Republic had despatched a special Ambassador, charged with the task of securing assent to a root and branch scheme of reforms. The Sultan, however, tenacious of his power, expressed invincible objections to the improvements urged upon him by the French. The Ambassador grew impatient, and ended by informing the young monarch that he was the mandatory of Europe, which required the prompt acceptance of its proposals. The Sultan, who, like others of his race, is gifted with a keen scent for dissension, ran without delay to the German Consul and inquired if the Emperor had authorized the French Ambassador to speak in his name. The answer, of course, was in the negative. A telegram was forthwith despatched by the Consul to Berlin, containing the gist of the French scheme, which was designed to secure the appointment of French agents to control the finances and administer the customs of the Sultanate. These measures were deemed in the German Capital to infringe upon the principle of the "open door," and it was decided to punish the *faux pas* committed by the French diplomatist. Had the incident occurred a few months previously, it is highly probable that the German Government would have remained quiescent; for it was then in the throes of a war panic, fostered by the insane belief that Great Britain and France were planning a combined attack on Germany. But the statesmen on the Spree had recovered somewhat from their alarms, and were becoming increasingly sensitive to the inconvenience of M. Delcassé's diplomacy, which, in Turkey as in Morocco, was strictly hostile to the interests of Germany. They planned a demonstration. The Kaiser, it was announced, had made arrangements to visit Tangier in the course of his Mediterranean tour. Some days elapsed before the true significance of this announcement was grasped in Paris. For this,

perhaps, the main responsibility must be laid at the door of the Emperor, who, on the eve of his departure from the Fatherland, delivered an oration on his most recent conception of World-Politics.

To judge from his utterances on that occasion, William II was in anything but an aggressive mood. Instead of speaking, as usual, in terms of "mailed fists" and "eagle's talons," he dwelt, in a spirit of religious fervor, on the vanity of aiming at territorial expansion. With the spectacle of the Russian downfall before his eyes, he informed his hearers that he had sworn a solemn oath never to strive for the Suzerainty of the world. Alexander the Great, Napoleon the First and other heroes of military history, he observed, had deluged the earth in blood in their pursuit of universal dominion: the World-Empire, of which he, the German Emperor, dreamed, would, however, be based not on the conquests of the sword, but on the confidence of other nations in its neighborly love of peace, its integrity and sense of justice. Though interesting psychologically, on account of its Cæsarian conceptions, the speech could scarcely be considered effective when regarded as the prelude to diplomatic action. Count von Bülow, in the hope of correcting the somewhat lame impression created by the Imperial utterances, fell into the opposite extreme. He dictated to the newspapers a semi-official note of a highly polemical character.

In that note, he accused the French Foreign Minister of having deliberately ignored the German Empire in his treatment of the Moroccan question. To this day, he observed, the Berlin Foreign Office was officially ignorant of the contents of the Anglo-French Declaration; but there was still time, he hinted, for the French Minister to correct his omission before the Emperor arrived at Tangier. To this hint M. Delcassé replied with the assertion, made through the Paris press, that, so far as he was aware, there was a German Embassy in the French Capital, and that, if Count von Bülow desired to obtain any information from him, he could do so by employing the Ambassador for the purpose. For the rest, he affirmed that he had given Prince Radolin, the German Ambassador, the most ample assurances on the subject of the Moroccan Declaration, as early as the Spring of 1904, and that the Chancellor had himself taken cognizance of the Declaration in his Reichstag speeches. Count von Bülow rejoined that he

could not regard as binding the assurances of a Foreign Minister, vaguely made in casual conversation with an Ambassador; and that the German Government, in the absence of explicit statements from Paris, intended to guard its interests by means of direct negotiations with the Sultan of Morocco, who was an independent sovereign. The controversy was continued with acrimony, and was only prevented from assuming a perilous character by the fiction, which was preserved on both sides, that it was merely an affair of newspapers. Finally, Prince Radolin left the French Capital ostensibly on a holiday; but the real object of his departure, so the German journals explained, was to relieve Germany, in the eyes of the Sultan, of even the suspicion of a desire to arrive at a separate understanding with France regarding Morocco.

The Emperor reached Tangier on March 31st. He was received with operatic honors. The uncle of the Sultan welcomed him as the political savior of Morocco; and Raissuli, the Brigand Chieftain and Head Kidnapper of European and American millionaires, was equally effusive.

But the operatic character of the reception accorded to him failed to divest the day of its political significance. To the Sultan's uncle, as to the German colony of traders, the Emperor observed that he regarded Morocco as a "free and independent country." It was essential, he added, that all nations should enjoy equal rights within its borders, and that no one nation should be allowed to establish a predominant influence over its development. Can, will, the Emperor make good these words? By uttering them at a critical juncture in the negotiations at Fez, he has, beyond all doubt, disturbed in a most disagreeable manner the progress of French ambitions. He has excited the fanaticism of the tribes against the reform scheme, against all innovations; he has encouraged the Sultan to reject definitely the overtures of the French Ambassador. But it is doubtful if he has accomplished anything more. Morocco is not Turkey, where, by currying favor with the monarch, the Germans have managed to gain considerable advantages over their commercial rivals. Morocco is a land divided against itself, held together solely by its hatred of Western influences. Any day the Sultan may be swept away by the forces of insurrection, and Anarchy will reign, if possible, still more supreme. The French will then be compelled to intervene.

Their task will be one of endless difficulty, but the German Emperor will be powerless, except at the expense of war, to obstruct them. For the promotion of foreign trade, it is essential that Morocco shall be forced along the path of progress and civilization. No country, save France, is in a position to exercise the pressure requisite for this operation. Great Britain, whose commercial stake in the Sultanate is sevenfold that of Germany, admitted this feature of the situation by intrusting France with the preservation of order in Morocco. Spain and Italy imitated her example. Germany, after seeming to acquiesce in the new order of things, suddenly arrested the hand of France. By so doing she has unquestionably revenged herself on a statesman whom she considers her deadly enemy, and has secured for herself an ephemeral prestige in the Mohammedan world. But the national passions she has aroused she is incapable of quelling; and, if her former actions supply any criterion of her future line of conduct, she will desert the Moors, as she did the Boers, in the hour of their fate. For the Emperor has no intention of making war on France, or of sacrificing the bones of his Pommeranian Grenadiers on the altar of Moroccan trade. His policy is purely spectacular.

For more than a year the Kaiser has been led, by an exaggerated idea of the dangers besetting him, to suppress his histrionic desire to figure on the stage of World-Politics. But, as soon as his forebodings proved to be groundless, he yielded to the temptation to afford the nations a display of his power. Germany has been but poorly served by his action. She has gained nothing from it that she might not have secured by independent negotiation with France, who was prepared, if asked, to furnish her with the most absolute guarantee to keep open the Moroccan door. But the Emperor chose to quarrel with M. Delcassé on what, after all, is only an obscure point of diplomatic etiquette; and, in endeavoring to teach that statesman a lesson in manners, he has affronted the French nation in a manner which will not readily be forgotten. For France has been quick to note that the Emperor delayed embarrassing her until the Battle of Mukden had completed the paralysis of the Dual Alliance: and from that observation the deduction is irresistible that she must seek another ally against the policy of Germany.

WASHINGTON, *April, 1905.*

THE topics of general interest most discussed in the Federal capital during the current month have been the position taken by the United States with reference to Morocco; the actual and prospective attitude of the State Department toward the Caracas Government; and the likelihood of the Senate's acceding at the first session of the Fifty-ninth Congress to the proposal embodied in the Esch-Townsend bill passed by the House of Representatives, and known to have met with the approval of the President—the proposal, namely, to give the Interstate Commerce Commission power to change railway rates under certain circumstances.

There is a widespread impression that Judge Taft, who is not only Secretary of War, but, during the absence of Mr. Roosevelt, is invested with control of the State Department, evinced insight, foresight and tact in dealing with the plausible suggestion made by Emperor William II that the United States should join with Germany in insisting upon the permanent maintenance of the "Open Door" in Morocco, and to that end should guarantee the permanent independence and territorial integrity of the Shereefian monarchy, without regard to any agreement, possibly inconsistent with such independence, that may have been concluded between France, Great Britain, Spain and Italy. The specious argument is believed to have been put forward on behalf of the proposal that the Washington Government could not, with any show of logic and consistency, decline to pursue in Northwest Africa the policy to which it has repeatedly committed itself in China. The text of the agreement entered into between the British and French Foreign Offices with reference to Morocco has not been published; but it is alleged that the signatories only bind themselves to maintain an open door in that country for thirty years; and that, irrespectively of such avowed limitation, the nature of the tutelary functions delegated to France is irreconcilable with the permanent retention of any genuine independence by His Shereefian Majesty, but must inevitably tend to reduce him to a position analogous to that which is at present occupied by the Khedive of Egypt. That is probably true: at all events, it is universally believed. If, however,—so Emperor William's representative might conclude his argument—four Powers are at liberty to form a compact which, by implication or by practical results, would tend eventually to deprive other na-

tions of equal commercial privileges in Morocco, why should not the same or other four Powers pursue a similar course in the Far East, to the ultimate detriment of the United States? Would it not be consistent, therefore, for our State Department to object to the establishment of a possibly mischievous precedent in Morocco, and concur with Germany in requesting that the agreement concluded between Great Britain, France, Italy and Spain should be submitted for approval, modification or rejection to a Conference or Congress of all the Powers commercially interested in Northwest Africa?

To this ingenious but sophistical presentation of the German Emperor's plan, Secretary Taft is understood to have virtually replied that it is not a statesman's business to be logical and consistent where his country's interests happen to conflict with logic and consistency. He is believed to have pointed out that we have not now, and have not reason to expect, much commercial intercourse with Morocco; and that, consequently, we have no motive for renouncing our traditional avoidance of European entanglements; and that, therefore, while we should continue to favor the "Open Door" in China, with which Empire our actual and prospective commerce is large, we must decline to take part in any move with reference to Morocco which would be likely to antagonize our friends in the London and Paris Foreign Offices. The effect of the judicious and cautious position taken by Secretary Taft is already obvious. We hear no more of Germany's suggestion that a Conference should be called for the purpose of reviewing the English-French agreement to which Spain and Italy acceded; and there is no longer any doubt that France will proceed to exercise the delegated function of maintaining order and assuring administrative reform in the Shereefian dominions.

By well-informed persons it is now taken for granted that, for the present, at all events, our State Department has no intention of resorting to force to compel the Caracas Government to withdraw the case against the New York and Bermudez Asphalt Company from the Venezuelan court before which it is pending, and to refer it to arbitration. Whether the demand made by Minister Bowen for such a reference was really of a threatening tenor is not definitely known; neither has the text of President Castro's reply been published. It is reported, however, that the Caracas Executive expressed respectfully a desire to learn whether

our Government could seriously mean to impugn the integrity of Venezuelan tribunals. It is alleged that President Castro went on to argue that, if no such intention existed, our Government could hardly expect him to withdraw a case from the jurisdiction of his country's courts, and thus by implication impeach their trustworthiness. It is tolerably certain that, for the moment, at all events, we are not ready to express officially the conviction—shared, though it is said to be, by most of the foreign merchants residing in Venezuela—that the courts of that country cannot be trusted to dispense justice. Such a declaration on our part would, no doubt, be echoed promptly by European Powers; and the deduction would be drawn that Venezuela must be forthwith relegated to the semi-independent position of those countries—Egypt is an example—where disputes to which a foreigner is a party must be settled, not by the native tribunals, but by consular courts. It is plain enough that not without a desperate fight would Venezuela submit to the imposition of that régime of exterritoriality against which Japan so long and earnestly protested and from which she has recently emerged. It is equally clear that in her resistance she would have the hearty sympathy, if not also the active assistance, of all the Latin-American commonwealths, who, in the fate with which she was menaced, would foresee their own. We should, in a word, have to undertake a war of conquest in Venezuela, and at the same time incur the lasting suspicion and hatred of all Latin-America. For what? In order to safeguard the property of the New York and Bermudez Asphalt Company from possible confiscation at the hands of the Caracas Government, under a judicial decree of the highest Venezuelan court.

Before we embark on such an undertaking, it might be at least prudent to inquire whether the Asphalt Company, bearing in mind the legal axiom, *caveat emptor,* did not enter with eyes wide open into its contract with the Caracas Government; whether it did not covenant, when it obtained a concession, not to appeal from the judgment of the highest Venezuelan tribunal; and whether it be not very doubtful if it could come with clean hands before a court of arbitrators. Touching the last-named inquiry, we may, without presuming to prejudge any particular case as to which the high court at Caracas has not yet rendered a final decision, point out the grounds on which the property of the Asphalt Com-

pany has been placed temporarily in the hands of a sequestrator, together with the answer made by the defendant corporation. It appears that the Bermudez Asphalt Company is accused by the Castro Administration of having abetted the recent revolution, of which General M. A. Matos was the recognized leader, by paying to the revolutionary leaders, who for a time held sway in the State of Bermudez, all the dues which it had contracted to pay to the Caracas Government. It is also alleged to have forfeited its franchise by its failure to canalize certain rivers, a work which it is said to have been bound to perform by the terms of its concessions. To the first charge the company demurred, on the ground that, under the Venezuelan Constitution, no financial claim for damages incurred during a revolution can be made after a restoration of peace. By the court of first instance this demurrer was overruled, on the ground that a state of war still exists in Venezuela, President Castro's proclamation of martial law not having been revoked when the present action was begun. As to the alleged forfeiture of its franchise by breach of contract, the company maintains that it was not bound to canalize the rivers named in the concession, because such canalization had not been expressly confirmed by the Venezuelan Congress. This claim was also set aside by the court of first instance, for the reason that, as the concession had been confirmed under a general act of Congress authorizing similar grants, no specific confirmation of any stipulation was required.

As regards another American case which has been the subject of negotiation between our State Department and the Caracas Government—the so-called "Olcott claim"—it is undisputed that this, by agreement of the respective countries, has already been submitted to arbitration, and our only ground for requesting a resubmission of the case is that the American claimant is dissatisfied with the judgment rendered by the arbitrator. It is not likely that the Roosevelt Administration would use the military and naval forces of the United States for the purpose of compelling President Castro to rearbitrate a case which has been already arbitrated. On the whole, we opine that Venezuela is in no immediate danger of coercion at the hands of the United States.

It is even less probable that France will interpose to protect from confiscation by the Venezuelan courts the property of the French Cable Company. The French Company is alleged to

have violated the terms of the concession by which it received from Venezuela a monopoly, because, instead of laying a continuous ocean cable to New York, it covered part of the distance by a land line across Santo Domingo, where the wires have repeatedly been cut by revolutionists. It is also asserted that, during the late rebellion against the Castro Administration, officials of the Cable Company assisted Matos and his friends in two ways: first, by handling their business secretly, and, secondly, by giving them copies of all the Government cables, so that the plans of their opponents were made known to them. It is said that documentary evidence in support of these charges was found on the persons of captured rebel officers. The French Company, on its part, denies the charges, and goes on to contend that, even if they could be sustained, no arbitrator would give judgment for such heavy damages as would amount practically to a confiscation of the property, whereas just such a judgment is expected from the Venezuela tribunal. It is generally believed that the monopoly given to the French Cable Company was secured by bribery, for which reason the corporation would, doubtless, very much prefer to see its case settled by diplomacy rather than by subjection to judicial investigation. Nobody believes that the French Government would intervene to protect by force the interests of the Cable Company, so long as the United States shall refrain from a similar proceeding on behalf of the Bermudez Asphalt Corporation.

It will be remembered that the Senate adjourned without acting upon the Esch-Townsend bill, although the House of Representatives had approved the measure by a majority closely approaching to unanimity. The coterie which is popularly known as the "steering committee" of the Republican majority of the Upper Chamber of the Federal Legislature were of the opinion, we were told, that careful investigation and mature deliberation should precede the bestowal upon the Interstate Commerce Commission of the power to change railway rates even provisionally. To the end that such inquiry should be made, a committee was empowered to sit during the summer, and acquire adequate information on which to base a report to the Senate on the convening of the Fifty-ninth Congress, an event which, it is expected, will take place early in October, the President being credited with the intention of convoking the Federal Legislature in a

special session. The composition of the committee would not augur well for a report favorable to the Esch-Townsend bill, if the Republican leaders in the Senate had any hope of arraying the majority of their party's spokesmen in the House of Representatives against Mr. Roosevelt. That, however, they know to be impossible. The members of the next House, having been returned at the same time when the voters recorded their confidence in the President, are keenly alive to the fact that their election was due in a large measure to the Roosevelt tidal wave, and are even more likely to cooperate with the Chief Magistrate than were the members of the last House, who were chosen in 1902, when it was doubtful whether the accidental occupant of the White House would receive the next Republican nomination for the Presidency. The truth, of course, is that every wide-awake member of the Senatorial Committee must be conscious that he is—to use the slang of the day—"up against it." Especially is it true of Mr. Elkins, whose influence in the committee will be second to none, that he was never known voluntarily to butt his head against a stone wall, but, on the contrary, has been wont, with instinctive astuteness, to follow the line of least resistance. That line does not point to overt conflict with the White House. The prevailing opinion, therefore, is that the kind of enlightenment which the Senatorial Committee will receive during the summer should be described as egoistic rather than altruistic, and that its clients, the railways, will be discreetly informed by its report that, while it would gladly further their interests if it could, it has arrived at the conclusion that self-preservation is the first law of nature. We shall not, therefore, be surprised if, shortly after the assembling of the Fifty-ninth Congress, the Senate should approve a measure substantially identical in its vital provisions with the Esch-Townsend bill.

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IN THREE PARTS: PART THIRD.

BY HENRY JAMES.

VI.

It is a convenience to be free to confess that the play of perception during those first weeks was quickened, in the oddest way, by the wonderment (which was partly also the amusement) of my finding how many corners of the general, of the local, picture had anciently never been unveiled for me at all, and how many unveiled too briefly and too scantly, with quite insufficient bravery of gesture. That might make one ask by what strange law one had lived in the other time, with gaps, to that number, in one's experience, in one's consciousness, with so many muffled spots in one's general vibration—and the answer indeed to such a question might carry with it an infinite penetration of retrospect, a penetration productive of ghostly echoes as sharp sometimes as aches or pangs. So many had been the easy things, the contiguous places, the conspicuous objects, to right or to left of the path, that had been either unaccountably or all too inevitably left undiscovered, and which were to live on, to the inner vision, through the long years as mere blank faces, round, empty, metallic, senseless disks dangling from familiar and reiterated names. Why, at the same time, one might ask, had the con-

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sciousness of irritation from these vain forms not grown greater? why had the inconvenience, or the disgrace, of early privation become an accepted memory? All, doubtless, in the very interest, precisely, of this eventual belated romance, and so that adventures, even of minor type, so preposterously postponed should be able to deck themselves at last with a kind of accumulation of freshness.

So the freshness, all the autumn, kept breaking through the staleness—when the staleness, so agreeably flavored with hospitality, and indeed with new ingredients, was a felt element at all. There was after all no moment perhaps at which one element stood out so very sharply from the other—the hundred emendations and retouches of the old picture, its greater depth of tone, greater show of detail, greater size and scale, tending by themselves to confound and mislead, in a manner, the lights and shades of remembrance. Very promptly, in the Boston neighborhoods, the work of time loomed large, and the difference made by it, as one might say, for the general richness. The richness might have its poverties still and the larger complexity its crudities; but, all the same, to look back was to seem to have been present at an extraordinary general process, that of the rapid, that of the ceaseless relegation of the *previous* (on the part of the whole visible order) to one of the wan categories of misery. What was taking place was a perpetual repudiation of the past, so far as there had been a past to repudiate, so far as the past was a positive rather than a negative quantity. There had been plenty in it, assuredly, of the negative, and that was but a shabbiness to disown or a deception to expose; yet there had been an old conscious commemorated life too, and it was this that had become the victim of supersession. The pathos, so to call it, of the impression was, somehow, that it didn't, the earlier, simpler condition, still resist, or protest, or at all expressively flush through; it was consenting to become a past with all the fine candor with which it had tried to affirm itself, in its day, as a present—and very much, for that matter, as with a due ironic forecast of the fate in store for the hungry, triumphant actual.

This savors perhaps of distorted reflection, but there was really a light over it in which the whole spectacle was to shine. *The will to grow* was everywhere written large, and to grow at no matter what or whose expense. I had naturally seen it before, I

had seen it, on the other side of the world, in a thousand places and forms, a thousand hits and misses: these things are the very screeches of the pipe to which humanity is actually dancing. But here, clearly, it was a question of scale and space and chance, margin and elbow-room, the quantity of floor and loudness of the dance-music; a question of the ambient air, above all, the permitting medium, which had at once, for the visitor's personal inhalation, a dry taste in the mouth. Thin and clear and colorless, what would it ever say "no" to? or what would it ever paint thick, indeed, with sympathy and sanction? With so little, accordingly, within the great frame of the picture, to prevent or to prescribe, it was as if anything might be done there that any sufficient number of subscribers to any sufficient number of sufficiently noisy newspapers might want. That, moreover, was but another name for the largest and straightest perception the restless analyst had yet risen to—the perception that awaits the returning absentee from this great country, on the wharf of disembarkation, with an embodied intensity that no superficial confusion, no extremity of chaos, any more than any brief mercy of accident, avails to mitigate. The waiting observer need be little enough of an analyst, in truth, to arrive at that consciousness, for the phenomenon is vivid in direct proportion as the ship draws near. The great presence that bristles for him on the sounding dock, and that shakes the planks, the loose boards of its theatric stage, to an inordinate unprecedented rumble, is the monstrous form of Democracy, which is thereafter to project its shifting angular shadow, at one time and another, across every inch of the field of his vision. It is the huge democratic broom that has made the clearance and that one seems to see brandished in the empty sky.

That is of course, on one side, no great discovery, for what does even the simplest soul ever sail westward for, at this time of day, if not to profit, so far as possible, by "the working of democratic institutions"? The political, the civic, the economic view of them is a study that may be followed, more or less, at a distance; but the way in which they determine and qualify manners, feelings, communications, modes of contact and conceptions of life—this is a revelation that has its full force and its lively interest only on the spot, where, when once caught, it becomes the only clue worth mentioning in the labyrinth. The condition,

notoriously, represents an immense boon, but what does the enjoyment of the boon represent? The clue is never out of your hands, whatever other objects, extremely disconnected from it, may appear at the moment to fill them. The democratic consistency, consummately and immitigably complete, shines through with its hard light, whatever equivocal gloss may happen momentarily to prevail. You may talk of other things, and you do, as much as possible; but you are really thinking of that one, which has everything else at its mercy. What indeed is this circumstance that the condition is thus magnified but the commanding value of the picture, its message and challenge to intelligent curiosity? Curiosity is fairly fascinated by the sense of the immensity of the chance, and by the sense that the whole of the chance has been taken. It is rarely given to us to see a great game played as to the very end—and that was where, with his impression of nothing to prevent, of nothing, anywhere around him, to prevent anything, the ancient contemplative person, floating serenely in his medium, had yet occasionally to gasp before the assault of the quantity of illustration. The illustration might be, enormously, of something deficient, absent—in which case it was for the aching void to be (as an aching void) striking and interesting. As an explication or an implication the democratic intensity could always figure.

VII.

There was little need, for that matter, to drag it into the foreground on the evening of my renewed introduction to the particular Boston neighborhood—the only one of them all—with which I had been formerly somewhat acquainted. I had alighted in New York but three days before, and my senses were all so full of it that as I look back I can again feel it, under the immediate Cambridge impression, assert itself by turning quite to insidious softness, to confused and surprised recognition. I had driven out from Boston through the warm September night and through a town-picture as of extraordinary virtuous vacancy (with not so much as the figure of a policeman in sight, from the South Station to the region of Harvard Square), and I remember how the odorous hour—charged with the old distinctively American earth-smell, which, in the darkness, fairly poetized the suburbs, and with the queer, far, wild throb of shrilling insects—prescribed to me the exact form of the response to the question as

to one's sense of a "great change" already so often sounded. "A great change? No change at all. Where then would the 'intensity' be? But *changes*—ever so many and so amusing and so agreeable. The intensity is compatible with *them*—nothing, clearly, is going to be so interesting as to make out, with plenty of good-will, how compatible!" There was unmistakably everywhere a more embroidered surface—the new free figures played over the canvas; so that at this rate, in the time to come, how far might the embroidery not go, what silk and gold mightn't it weave into the pattern? It wasn't of course a question of rhapsodizing —Cambridge was Cambridge still, and all faithful to its type; but the rustle of the trees in the summer night had a larger tone, the more frequent lamplight slept upon ampler walls, the body of impression was greater and the University, above all, seemed in more confident possession. It massed there in multiplied forms, with new and strange architectures looming through the dark; it appeared to have wandered wide and to be stretching forth, in many directions, long, acquisitive arms.

This vision, for the moment, of a great dim, clustered but restlessly expansive Harvard, hushed to vacation stillness as to a deep ambitious dream, was, for the impressible story-seeker, practically the germ of the most engaging of the generalized images of reassurance, the furniture, so to speak, of the *other* scale, that the extension of his view was to cause him to cultivate. Reassurance is required, before the spectacle of American manners at large, whenever one most acutely perceives how little honor they tend to heap on the art of discrimination, and it is at such hours that, turning in his frequent stupefaction, the restless analyst reaches out for support to the nearest faint ghost of a constituted Faculty. It takes no exceptional exposure to the promiscuous life to show almost any institution pretending to university form as stamped here with the character and function of the life-saving monasteries of the dark ages. They glow, the humblest of them, to the imagination—the imagination that fixes the surrounding scene as a huge Rappacini garden rank with each variety of the poison-plant of the money-passion—they glow with all the vividness of the defined alternative, the possible antidote, and seem to call upon us to blow upon the flame till it is made inextinguishable. So little time had it taken, at any rate, to suggest to us that a new and higher price, in American conditions, is

attaching to the cloister, literally—the place inaccessible (to put it most pertinently) to the shout of the newspaper, the place to perambulate, the place to think, apart from the crowd. Doubtless indeed I was not all aware of it at the time, but the image I touch upon in connection with those first moments was to remain with me, the figure of the rich old Harvard organism brooding, exactly, through the long vacation, brooding through the summer night, on discriminations, on insistencies, on sublime and exquisite heresies to come.

After that arrived daylight recognitions, but they were really for the most part offered me, as in a full cup, by the accident of a couple of hours that were to leave me the pure essence, the finer sense of them. These were a matter of a fortnight later, as I had had immediately to make an absence, and the waning September afternoon of the second occasion took on a particular quality for this deferred surrender of a dozen stored secrets. "Secrets" I call them because the total impression was of the production of some handful of odds and ends that had lurked, for long, in a locked drawer, and which, being brought out, might promote, by their blinking consciousness, either derision or respect. They excited, as befell, an extraordinary tenderness—on which conclusion it was fortunate to be able afterwards to rest. I wandered, for the day's end, with a young modern for whom the past had not been and who was admirably unconscious of the haunting moral of the whole mutation—the tune to which the pampered present made the other time look comparatively grim. Each item of the pampered state contributed to this effect—the finer *mise-en-scène,* the multiplied resources, halls, faculties, museums, undergraduate and postgraduate habitations (these last of so large a luxury); the pompous little club-houses, visited, all vacant, in the serious telltale twilight that seemed to give them, intellectually, "away"; the beautiful new Union, with its great grave noble hall, of which there would be so much more to be said; and above all, doubtless, the later majesties of the Law School, in the near presence of which the tiny old disinherited seat of that subject, outfaced and bedimmed, seemed unable to make even a futile plea for quaintness. I went into the new Law Library, immense and supreme—in the shadow of which I caught myself sniffing the very dust, prehistoric but still pungent, of the old. I saw in the distance a distinguished friend, all alone, be-

latedly working there, but to go to him I should have had to cross the bridge that spans the gulf of time, and, with a suspicion of weak places, I was nervous about its bearing me.

What such delicacies came to, then and afterwards, for the whole impression, was the instinct not to press, not to push on, till forced, through any half-open door of the real. The real was there, certainly enough, outside and all round, but there was standing-ground, more immediately, for a brief idyl, and one would walk in the idyl, if only from hour to hour, while one could. This could but mean that one would cultivate the idyllic, for the social, for the pictorial illusion, by every invoking and caressing art; and in fact, as a consequence, the reflection of our observer's experience for the next few weeks—that is so long as the spell of the autumn lasted—would be but the history of his more or less ingenious arts. With the breaking of the autumn, later on, everything broke, everything went—everything was transposed at least into another key. But for the time so much had been gained—the happy trick had been played.

VIII.

It was after all in the great hall of the Union perhaps (to come back to that delicate day's end) that the actual vibration of response seemed most to turn to audible music—repeated, with all its suggestiveness, on another occasion or two. For the case was unmistakably that just there, more than anywhere, by a magnificent stroke, an inspiration working perhaps even beyond its consciousness, the right provision had been made for the remembering mind. The place was addressed in truth so largely to an enjoying and producing future that it might seem to frown on mere commemoration, on the backward vision; and yet, at the moment I speak of, its very finest meaning might have been that of a liberal monument to those who had come and gone, to the company of the lurking ghosts. The air was full of them, and this was its service, that it cared for them *all*, and thus eased off the intensity of their appeal. And yet it appeared to play that part for a reason more interesting than reducible to words—a reason that mainly came out for me while, in the admirable hall aforesaid, I stood before Sargent's high portrait of Major Henry Lee Higginson, *donatorio* of the house (as well as author, all roundabout, of innumerable other civil gifts); a representative

of life and character, a projection of genius, which even that great painter has never outdone. Innumerable, ever, are the functions performed and the blessings wrought by the supreme work of art, but I know of no case in which it has been so given to such a work to make the human statement with a great effect, to interfuse a group of public acts with the personality, with the characteristics, of the actor. The acts would still have had all their value if the portrait had had less, but they would not assuredly have been able to become so interesting, would not have grown to affect each beneficiary, however obscure, as proceeding, for him, from a possible relation, a possible intimacy. It is to the question of intimacy with somebody or other that all great practical public recognition is finally carried back—but carried only by the magic carpet, when the magic carpet happens to be there. Mr. Sargent's portrait of Henry Higginson is exactly the magic carpet.

That was the "pull" (one kept on feeling) that this happy commemorative creation of the Union had over the great official, the great bristling brick, Valhalla of the early "seventies," that house of honor and of hospitality which, under the name of the Alumni Hall, dispenses (apart from its containing a noble auditorium) laurels to the dead and dinners to the living. The recording tablets of the members of the University sacrificed, on the Northern side, in the Civil War, are too impressive not to retain here, always, their collective beauty; but the monumental office and character suffer throughout from the too scant presence of the massive and the mature. The great structure spreads and soars with the best will in the world, but succeeds in resembling rather some high-masted ship at sea, in slightly prosaic equilibrium, than a thing of builded foundations and embrasured walls. To which it is impossible not immediately to add that these distinctions are relative and these comparisons almost odious, in face of the recent generations, gathered in from beneath emptier skies, who must have found in the big building as it stands an admonition and an ideal. So much the better for the big building, assuredly, and none so calculably the worse for the generations themselves. The reflection follows close moreover that, tactfully speaking, criticism has no close concern with Alumni Hall; it is as if that grim visitor found the approaches closed to him—had to enter, to the loss of all his identity, some relaxing air of

mere sentimental, mere shameless association. He turns his back, a trifle ruefully whistling, and wanders wide; so at least I seemed to see him do, all September, all October, and hereabouts in particular: I felt him resignedly reduced, for the time, to looking over, to looking through, the fence—all the more that, at Cambridge, there was at last something in the nature of a fence so to be dealt with.

The smaller aspects, the sight of mere material arrears made up, may seem unduly to have held me when I say that few fresh circumstances struck me as falling more happily into the picture than this especial decency of the definite, the palpable affirmation and belated delimitation of College Yard. The high, decorated, recurrent gates and the still insufficiently high iron palings —representing a vast ring and even now incomplete—may appear, in spots, extemporized and thin; but that signifies little in presence of the precious idea on the side of which, in the land of the "open door," the all abstract outline, the timid term and the general concession, they bravely range themselves. The open door—as it figures here in respect to everything but trade—may make a magnificent place, but it makes poor places; and in places, despite our large mistrust of privacy, and until the national ingenuity shall have invented a substitute for them, we must content ourselves with living. This especial drawing of the belt at Harvard is an admirably interesting example of the way in which the formal enclosure of objects at all interesting immediately refines upon their interest, immediately establishes values. The enclosure may be impressive from without, but from within it is delicious; nothing is more curious than to trace in the aspects so controlled the effect of their established relation to it. This resembles, in the human or social order, the improved situation of the foundling who has discovered his family or of the actor who has mastered his part.

The older buildings, in the Yard, profit indeed, on the spot, to the story-seeking mind, by the fact of their comparative exhibition of the tone of time—so prompt an ecstasy and so deep a relief reward, in America, everywhere, any suggested source of interest that is not the interest of importunate newness. That source overflows, all others run thin; but the wonder and the satisfaction are that in College Yard more than one of these should have finally been set to running thick. The best pieces

of the earlier cluster, from Massachusetts to Stoughton, emerge from their elongation of history with a paler archaic pink in their brickwork; their scant primitive details, small "quaintnesses" of form, have turned, each, to the expressive accent that no short-cut of "style" can ever successfully imitate, and from their many-paned windows, where, on the ensconced benches, so many generations have looked out, they fall, in their minor key, into the great main current of ghostly gossip. "See, see, we are getting on, we are getting almost ripe, ripe enough to justify the question of taste about us. We are growing a complexion—which takes almost as long, and is in fact pretty well the same thing, as growing a philosophy; but we are putting it on and entering into the dignity of time, the beauty of life. We are in a word beginning to begin, and we have that best sign of it, haven't we? that we make the vulgar, the very vulgar, think we are beginning to end."

That moreover was not the only relation thus richly promoted; there could be no unrest of analysis worthy of the name that failed to perceive how, after term had opened, the type of the young men coming and going in the Yard gained, for vivacity of appeal, through this more marked constitution of a *milieu* for it. Here, verily, questions could swarm; for there was scarce an impression of the local life at large that didn't play into them. One thing I had not yet done—I had not been, under the best guidance, out to Ellis Island, the seat of the Commissioner of Immigration, in the bay of New York, to catch in the fact, as I was to catch later on, a couple of hours of the ceaseless process of the recruiting of our race, of the plenishing of our huge national *pot-au-feu,* of the introduction of fresh—of perpetually fresh so far it isn't perpetually stale—foreign matter into our heterogeneous system. But even without that a haunting wonder as to what might be becoming of us all, "typically," ethnically, and thereby physiognomically, linguistically, *personally,* was always in order. The young men in their degree, as they flocked candidly up to college, struck me as having much to say about it, and there was always the sense of light on the subject, for comparison and reference, that a long experience of other types and other manners could supply. Swarming ingenuous youths, *whom did they look like the sons of?*—that inquiry, as to any group, any couple, any case, represented a game that it was posi-

tively thrilling to play out. There was plenty to make it so, for there was, to begin with, both the forecast of the thing that might easily settle the issue and the forecast of the thing that might easily complicate it.

No impression so promptly assaults the arriving visitor of the United States as that of the overwhelming preponderance, wherever he turns and twists, of the unmitigated "business man" face, ranging through its various possibilities, its extraordinary actualities, of intensity. And I speak here of facial cast and expression alone, leaving out of account the questions of voice, tone, utterance and attitude, the chorus of which would vastly swell the testimony and in which I seem to discern, for these remarks at large, a treasure of illustration to come. Nothing, meanwhile, is more concomitantly striking than the fact that the women, over the land—allowing for every element of exception—appear to be of a markedly finer texture than the men, and that one of the liveliest signs of this difference is precisely in their less narrowly specialized, their less commercialized, distinctly more generalized, physiognomic character. The superiority thus noted, and which is quite another matter from the universal fact of the mere usual female femininity, is far from constituting absolute distinction, but it constitutes relative, and it is a circumstance at which interested observation snatches, from the first, with an immense sense of its *portée*. There are, with all the qualifications it is yet open to, fifty reflections to be made upon the truth it seems to represent, the appearance of a queer deep split or chasm between the two stages of personal polish, the two levels of the conversible state, at which the sexes have arrived. It is at all events no exaggeration to say that the imagination at once embraces it as *the* feature of the social scene, recognizing it as a subject fruitful beyond the common, and wondering even if for pure drama, the drama of manners, anything anywhere else touches it. If it be a "subject," verily—with the big vision of the intersexual relation as, at such an increasing rate, a prey to it—the right measure for it would seem to be offered in the art of the painter of life by the concrete example, the art of the dramatist or the novelist, rather than in that of the talker, the reporter at large. The only thing is that, from the moment the painter begins to look at American life brush in hand, he is in danger of seeing, in comparison, almost nothing else in it—

nothing, that is, so characteristic as this apparent privation, for the man, of his right kind of woman, and this apparent privation, for the woman, of her right kind of man.

The right kind of woman for the American man may really be, of course, as things are turning out with him, the woman as to whom his most workable relation is to support her and bear with her—just as the right kind of man for the American woman may really be the man who intervenes in her life only by occult, by barely divinable, by practically disavowed courses. But the ascertainment and illustration of these truths would be, exactly, very conceivably high sport for the ironic poet—who has surely hitherto neglected one of his greatest current opportunities. It in any case remains vivid that American life may, as regards much of its manifestation, fall upon the earnest view as a society of women "located" in a world of men, which is so different a matter from a collection of men of the world; the men supplying, as it were, all the canvas, and the women all the embroidery. Just this vividness it was that held up the torch, through the Cambridge autumn, to that question of the affiliation of the encountered Harvard undergraduate which I may not abandon. In what proportion of instances would it stick out that the canvas, rather than the embroidery, was what he had to show? In what proportion would he wear the stamp of the unredeemed commercialism that should betray its paternity? In what proportion, in his appearance, would the different social "value" imputable to his mother have succeeded in interposing? The discerned answer to these inquiries is really, after all, too precious (in its character of contribution to one's total gathered wisdom), to be given away prematurely; but there was at least always the sense, to which the imagination reverted, that in the collegiate cloisters and academic shades of other countries this absence of a possible range of origin and breeding in a young type had not been so felt. The question of origin, the question of breeding, had been large—never settled in advance; there had been fifty *sorts* of persons, fifty representatives of careers, to whom the English, the French, the German universitarian of tender years might refer you for a preliminary account of him.

I speak of my keeping back, for the present, many of my ultimate perceptions, but I may none the less recall my having had, all the season, from early, the ring in my ears of a reply I had

heard made, on the spot, to a generous lady offering entertainment to a guest, a stranger to the scene, whose good impression she had had at heart. "What kind of people should I like to meet? Why, my dear madam, have you more than *one* kind?" At the same time that I could remember that, however, I could also remember that the consistently *bourgeois* fathers must themselves in many cases have had mothers whose invitation to their male offspring to clutch at their relatively finer type had not succeeded in getting itself accepted. That constituted a fatal precedent, and it would have to be in the female offspring, probably, that one should look for evidences of the clutching—an extension of the inquiry for which there was plenty of time. What did escape from submersion, meanwhile, as is worth mentioning, was the golden state of being reminded, at moments that there are no such pleasure-giving accidents, for the mind, as violations of the usual in conditions that make them really precarious and rare. As the usual, in our vast crude democracy of trade, is the new, the simple, the cheap, the common, the commercial, the immediate, and, all too often, the ugly, any human product that those elements fail conspicuously to involve or to explain, any creature, or even any feature, not turned out to pattern, any form of suggested rarity, subtlety, ancientry, or other pleasant perversity, prepares for us a recognition akin to rapture. These lonely ecstasies of the truly open sense make up often, in the hustling, bustling desert, for such "sinkings" of the starved stomach as have led one too often to have to tighten one's æsthetic waistband.

IX.

All of which is sufficiently to imply, again, that for adventurous contemplation, at any of the beguiled hours of which I pretend here but to give the general happier drift, there was scarce such a thing as a variation of insistence. As every fact was convertible into a fancy, there was only an encouraged fusion of possible felicities and possible mistakes, stop-gaps before the awful advent of a "serious sense of critical responsibility." Or say perhaps rather, to alter the image, that there was only a builded breakwater against the assault of matters demanding a *literal* notation. I walked, at the best, but on the breakwater—looking down, if one would, over the flood of the real, but much more occupied with the sight of the old Cambridge ghosts, who

seemed to advance one by one, even at that precarious eminence, to meet me. My small story would gain infinitely in richness if I were able to name them, but they swarmed all the while too thick, and of but two or three of them alone is it true that they push their way, of themselves, through any silence. It was thus at any rate a question—as I have indeed already sufficiently shown—of what one read *into* anything, not of what one read out of it; and the occasions that operated for that mild magic resolve themselves now into three or four of an intrinsic color so dim as to be otherwise well-nigh indistinguishable. Why, if one could tell it, would it be so wonderful, for instance, to have stood on the low cliff that hangs over the Charles, by the nearer side of Mount Auburn, and felt the whole place bristle with merciless memories? It was late in the autumn and in the day—almost evening; with a wintry pink light in the west, the special shade, fading into a heartless prettiness of gray, that shows with a polar chill through the grim tracery of November. Just opposite, at a distance, beyond the river and its meadows, the white face of the great empty Stadium stared at me, as blank as a rising moon—with Soldiers' Field squaring itself like some flat memorial slab that waits to be inscribed. I had seen it inscribed a week or two before in the fantastic lettering of a great intercollegiate game of football, and that impression had been so documentary, as to the capacity of the American public for momentary gregarious emphasis, that I regret having to omit here all the reflections it prompted.

They were not, however, what was now relevant, save in so far as the many-mouthed uproar they recalled was a voice in the more multitudinous modern hum, amid which one listened almost in vain for the sound of the old names. One of these in particular, rose to my lips—it was impossible to stand there and not reach out a hand to J. R. L. as to a responsive personal presence, the very genius of the spot and who, from early, had given it the direct literary consecration without which even the most charming seats of civilization go through life awkwardly and ruefully, after the manner of unchristened children. They lack thus, for the great occasions, the great formal necessities, their "papers." It was thanks to Lowell, even more immediately than to Longfellow, that Cambridge *had* its papers—though if I find myself putting that word into the past tense it is perhaps be-

cause of the irresistible admonition, too (proceeding so from a thousand local symptoms), that titles embodied in literary form are less and less likely, in the Harvard air, to be asked for. That is clearly not the way the wind sets: we see the great university sit and look very hard, at blue horizons of possibility, across the high table-land of her future; but the light of literary desire is not perceptibly in her eye (nothing is more striking than the recent drop in her of any outward sign of literary curiosity); precisely for which reason it was, doubtless, in part, that the changed world seemed reflected with a certain tragic intensity even in faces ever so turned to cheerful lights as those of my two constructive companions.

I had passed high, square, sad old Elmwood on the way to my cliff over the Charles, and had wonderingly lingered a little about it. I had passed Mr. Longfellow's immemorial, historical, admired residence, still ample and symmetrical and visibly tourist-haunted (the only detected ruffle of its noble calm); elements of the picture that had rekindled for an hour the finer sensibility, the finer continuity and piety. It was because of these things, again, that I felt the invoked pair beside me presently turn away, as under a chill, from that too spectral (in its own turn) stare of the Stadium—perceived as a portent of the more *roaring,* more reported and excursionized scene; and in particular seemed to see J. R. L.'s robust humor yield to the recognition of the irony of fate, dear to every poet, in one of its most pointed forms. That humor had played of old, charmingly, over the thesis that Cambridge, Mass., was, taken altogether, the most inwardly civilized, most intimately humane, among the haunts of men; whereby it had committed itself, this honest adventurer, to a patient joy in the development of the *genius loci,* and was therefore without provision, either of poetry or of prose, against the picture of proportions and relations overwhelmingly readjusted. If the little old place, with its accessible ear, had been so brave, what was the matter with the big new one, going in, as it would itself say, for greater braveries still? Nothing, no doubt, but that the possession of an ear would be ceasing to count as an advantage. In what produced form, for instance, if he had been right, was now represented the love of letters of which he had been so distinguished an example? If he had on the other hand *not* been right—well, it would all be rather

dreadful. Such, at all events, may be the adventures of a revisiting spirit—when he has happened to revisit too ingenious an old friend.

The old friend, moreover, had meanwhile had, and in relation to this large loose fringe of the town, there so freely disposed, one of his personal disconcertments; he had turned his steps, for the pleasure of memory, to Fresh Pond, dear to the muses of youth, the Sunday afternoons of spring, and had to accept there his clearest vision perhaps of the new differences and indifferences. The little nestling lake of other days had ceased to nestle; there was practically no Fresh Pond any more, and I seemed somehow to see why the muses had fled even as from the place at large. The light flutter of their robes had surrounded far-away walks and talks: one could at this day, on printed, on almost faded pages, give chapter and verse, for the effect, audible on the Sunday afternoons, of their habit of murmurous hinted approval. Other things had come, by makeweight: the charming Country Club on toward Watertown, all verandahs and golf-links and tennis lawns, all tea and ices and self-consciousness; and there had come, thereabouts, too, the large extension of the "Park System," the admirable commissioners' roads that reach across the ruder countryside like the arms of carnivorous giants stretching over a tea-table of blackberries and buns. But these things were in the eternal American note, the note of the gregarious, the concentric, and pervaded moreover by the rustle of petticoats too distinguishable from any garment-hem of the sacred nine. The desecrated, the destroyed resort had favored, save on rare feast days, the single stroll, or at the worst the double, dedicated to shared literary secrets; which was why I almost angrily missed, among the ruins, what I had mainly gone back to recover—some echo of the dreams of youth, the titles of tales, the communities of friendship, the sympathies and patience, in fine, of dear W. D. H.

HENRY JAMES.

SUEZ AND PANAMA.

BY FREDERIC COURTLAND PENFIELD, AUTHOR OF "PRESENT-DAY EGYPT."

STUDENTS of canal affairs may agree that it is a misfortune for a nation to possess a site for a waterway connecting oceans and demanded by the necessities of commerce. The cases of Suez and Panama are not dissimilar; the former caused the administration of Egypt to pass to an alien race, while the latter resulted in the loss to a sovereign people of the isthmian route and enough territory with it to form a newcomer among nations.

The history of the Suez Canal is as replete with incident of intrigue and disappointment, and the blighting of human vanity, as any book of fiction; and no Lorelei ever lured more souls to destruction than the sand waste between Port Saïd and Suez.

The canalization of the Suez isthmus as a project antedated the Bible, probably harked back to the beginning of things. Six centuries before the Christian era, Necho, the legend runs, was so impressed by the prophecy of his favorite oracle—that if he persisted in his ambition to unite the Red Sea with the Mediterranean, Egypt would become involved in foreign entanglements and then be lost to the Egyptians—that he heeded the prophecy. In the nineteenth century of our Lord the hoary warning had a considerable measure of fulfilment, certainly; for the construction of the canal brought about indirectly the administration of the Nile country by Great Britain, and surrender of control of the national cash-box to Britain and five other European governments. The irony of these facts is heightened when it is recalled that the country through which the waterway runs owns or controls not one share in the Suez company, nor derives a tittle of benefit from its enormous earnings.

The consummation of the Suez scheme elevated a French diplo-

matist into the fickle gaze of the world, as reward for accomplishing what rulers of Egypt, from Seti, father of Rameses the Great, to Napoleon, had sought to do. De Lesseps's triumph cost the lives of hundreds of thousands of human beings, goaded by the lash to dig the great trench; and caused Khedive Ismaïl, throbbing with desire to be a factor in the world, to be driven into life exile as penalty for mortgaging almost the souls of his subjects to secure money for the alluring project. And the superlative mockery of fate is that this canal, benefiting Egypt in no manner, is to-day controlled by England, which obstinately resisted its construction. Ismaïl died disgraced in banishment, as punishment for running amuck with the money-lenders; and Ferdinand de Lesseps, who had been the Great Frenchman, was saved from the fate of a financial charlatan through being bereft of intellect in the closing years of his life.

Prior to giving the canal concession in 1856, Egypt had no debt whatever, and her credit was first pledged to enable the Khedive to subscribe $17,000,000 to the enterprise, although it was stipulated in the concession that the affair was to cost Egypt nothing, and that for ninety-nine years the country was to receive fifteen per cent. of its gross revenue. There were investors in the scheme, of course; but it seemed as if Egypt was ever feeding the insatiable monster with money, as well as with human life. Usurers of Europe had fat pickings through easy-going Ismaïl, who, when he saw that his days on the throne were numbered, sold his personal shares in the canal to the English government for $20,000,000, on which the Egyptian treasury was mulcted for five-per-cent. interest for twenty years after their transfer. This purchase proved Beaconsfield's shrewdness, for by an action sensationally prompt he prevented the shares from going to France. To-day they are worth four times what was paid for them, and they secure to Britain voting control in canal matters. Egypt's fifteen-per-cent. interest in the tolls was marketed to secure a few millions with which to complete the canal. Had Ismaïl not burdened his country with debts, there would have been no Arabi rebellion, and no British "occupation" of the Land of the Nile, it is safe to say.

The Suez waterway is a fraction under a hundred miles in length, and cost approximately $100,000,000. The difficulties encountered in its building were not those to be dealt with by engi-

neering skill; and De Lesseps was ever face to face with financial and political obstacles that taxed his resources as negotiator and diplomatist. The canal was in no sense an engineering achievement; the isthmus of sand, washed by seas of identical levels, was pierced by the crudest form of labor, practically unassisted by machinery. Excavators and dredgers of the character employed on the Chicago drainage canal could duplicate the Suez cutting for $25,000,000, experts insist. Thirteen years after the Suez concession was granted, the canal was opened to traffic on March 18th, 1869—and, strange augury, the first vessel to pay toll flew the British ensign.

The canal destroyed Egypt's considerable railway traffic between Alexandria and Suez, besides bringing to the land the foreign domination foreshadowed by the oracle of King Necho's period. Of the never-ending flow of humanity using the canal, few, probably, think of or know the pathetic chapters of its history. It has revolutionized shipping methods and avenues of trade, besides driving the sailing ship from the ocean.

The canal's value to commerce is sufficiently proven by the shortening of distances, compared with the old route around the Cape of Good Hope. By the latter the distance between England and Bombay is 10,860 miles, by the canal 4,620 miles; from St. Petersburg to Bombay by the Cape is 11,610 miles, and by the canal 6,770 miles; and from New York to Bombay by the Cape route the distance is 11,520 miles, while by the canal it is 7,920 miles. How rapidly the traffic attracted by economy of distance and time thus effected has developed, the following statistics, taken quinquennially from the Suez company returns, show:

Year.	Steamers.	Tonnage.	Receipts in Francs.
1871	765	761,467	7,595,385
1876	1,457	2,096,771	27,631,455
1881	2,727	4,136,779	47,193,880
1886	3,100	5,767,655	54,771,075
1891	4,206	8,669,020	83,421,500
1896	3,407	8,594,307	79,652,175
1901	3,699	10,823,840	100,386,397

Some readers may be surprised to learn that the current use of the Suez Canal averages only ten ships daily. Ten or twelve years ago, 75 per cent. of the vessels passing the canal were under the British flag; but in recent years there has been a gradual falling off in the number of English ships, due chiefly to the

systematic effort that Germany is making to develop new markets in the Far East and in Australasia. But the British flag still represents two-thirds of the traffic. Next to England, Germany is the principal user; the Dutch flag comes third, while the tricolor of France is fourth in the list. Not for many years have the Stars and Stripes been seen in the canal over a commercial vessel, yet cargoes to or from the United States employ the canal frequently, nearly always in British bottoms. A few war-ships and transports going to or returning from the Philippines, and two or three yachts, usually comprise the annual volume of American representation.

Last year, all vessels passing through the canal were of the mercantile marine, with the exception of 97 men-of-war, 56 military transports, and 9 yachts. The heaviest user of the "universal turnstile" is England's Peninsular & Oriental Company, which last year paid tolls on 213 steamers. The Ocean Steamship Company, plying between England and Australia, was represented by 145 ships, the Hansa Company by 160, the Messageries Maritimes by 155, the North German Lloyd by 95, and the Clan Line of freighters by 129.

The economy in using the canal is effected through saving of time. The present toll is $1 70 on vessel tonnage, and $2 for every passenger, not counting ship's crew. Since electric lights for night-steaming came into use, it requires from fourteen to eighteen consecutive hours to make the passage from entrance to exit. The tariff for a large steamer, like a liner of the Peninsular & Oriental Company, or a troop-ship filled with soldiers, is not infrequently $10,000.

The gross revenue nowadays is slightly in excess of 20 per cent. on the capitalization, and net earnings about 11 per cent., figures indicating remarkable prosperity, and explaining the popularity in which Suez securities are regarded by investors.

The ordinary width of the canal at the water-line is 328 feet, and at the base 72 feet; but where there are deep cuttings, the superficial width narrows to 190 feet. The mean depth from end to end is 26 feet. In places the canal is dredged to a depth of 30 feet, and it is the intention to deepen the canal throughout, to accommodate the increasing size of battle-ships and passenger-steamers. The slope of the canal-banks at the water-line is one inch in five, and there are about twelve miles of masonry at points

where the sand is loose and easily disturbed. These retaining-walls are being extended every year, and in time they will inclose the canal from one end to the other, being omitted in the Bitter Lakes, of course.

There are more contrasts than resemblances between the Suez and Panama projects, but each is as old as the limits of history admit. The conception of a Central-American canal belongs probably to the intelligent man who, from the jungle-laden rib of the isthmus, first saw the Caribbean and the Pacific. A century before the landing of the Pilgrim Fathers on Plymouth Rock, Spanish adventurers were informing Charles V of Spain of the opportunity to merge the waters of sea and ocean in the New World. Intuitively they perceived the importance of such an achievement, although it required the modern geographer to prove that from Colon to Panama by water is eight thousand miles, instead of forty-seven in a line conveniently direct. In 1550, one Galvao, a Portuguese navigator, wrote a book to prove the feasibility of an artificial connection between the Atlantic and the Pacific; and in 1780 a scientific commission from Spain studied the three Central-American routes—Panama, San Blas and Nicaragua. These are simple facts to be pondered over by busy people, who may possibly be in doubt as to whether the "Father" of the isthmian enterprise was De Lesseps, Senator Morgan or Admiral Walker.

The employment of great canals by commerce must ever depend upon economic considerations.

Already acknowledging our commercial predominance, Europeans are not blind to the real purpose of the Panama Canal. But whenever it is an open choice between the canal toll and the equivalent of time at sea, the Briton will be slow to decide in favor of contributing to the resources of a nation rising in brief time to commercial premiership; and Frenchmen, economists by nature, will take a similar view, as will Germans and shippers of other nations. Expressed in the fewest words, the employment of the Panama route will be governed exclusively by self-interest, computed from the standpoint of material economy.

The Suez route effects a saving in cost of transit between Europe and the Far East equal to 3,000 miles of sea-distance, counting time, fuel, wages and other expenses. Panama tolls cannot consistently be in excess of those of Suez; if identical—$1 70

per ton—the "limit of economy" should be practically the same, giving ship owner or captain the choice between the cost of canal transit and 3,000 miles of sea travel.

Suez will always be favored by European shipmasters determining routes for cargoes in which Panama and Suez present advantages practically equal; probably the expense of a few hundred miles additional travel would not cause them to break from the old route, on which there is no risk of accident or delay from canal locks. A considerable percentage of the over-sea-carrying trade controlled by British bottoms is geographically independent of canals, and will always be. For example, the bulk of traffic to and from the west coast of South America—the rich nitrate trade of Iquique and Valparaiso—will not ordinarily be altered by the Panama Canal. The economy of distance from the latter port to England and the Continent by the canal being only about 1,500 miles, this traffic, except under unusual circumstances, will continue, as long as it goes in British vessels, to round the extremity of South America; while, as the canal will shorten the distance between the nitrate fields contiguous to Iquique and their customers in Europe only a trifle over the 3,000-mile "limit of economy," much benefit cannot be expected from that source.

The table, printed on the opposite page, condensed from several comparative statements prepared by the Government, shows at a glance the saving in nautical miles to be made possible by the Panama Canal between leading Atlantic and Pacific ports.

By way of Panama, the water distance between New York and San Francisco is to be shortened 8,000 miles, and practically the same to Yokohama, Shanghai, the Philippines and Hawaii. New Orleans will benefit even in greater measure. Better still, every town on the Mississippi River from St. Louis to New Orleans will be endowed by the canal with advantages exceeding those of seacoast towns and cities. A generation hence the movement of traffic down the Mississippi, on the way to the isthmus, is certain to be enormous.

Singapore will be the Asiatic port differentiating the attracting power of the Panama and Suez canals, speaking from the basis of Atlantic and Gulf ports as points of origin or destination. Cargoes for places beyond the 105th degree of east longitude will logically be sent through the Mediterranean and the Suez Canal. But the area east of the Singapore degree of longitude is teeming

ECONOMY IN SEA MILES BETWEEN ATLANTIC PORTS AND PACIFIC PORTS *VIA* PANAMA CANAL OVER PRESENT ROUTES.

From	To either San Francisco or Port Townsend.	To Guayaquil	To Callao.	To Iquique.	To Valparaiso.	To Yokohama, via San Francisco.	To Shanghai, via San Francisco and Yokohama.	To Manila, via San Francisco and Yokohama.	To Sydney, via Tahiti.	To Melbourne, via Tahiti and Sydney.	To Wellington, via Tahiti.
New York.....	7,945	7,559	6,353	5,200	3,831	7,945	8,025	7,945	4,708	4,708	4,708
Norfolk.....	8,073	7,687	6,471	5,328	3,937	8,072	8,152	8,072	4,636	5,203	4,836
Charleston.....	8,281	7,895	6,679	5,518	4,167	8,371	8,478	8,656	5,044	5,064	5,044
Port Tampa.....	8,791	8,425	7,209	6,066	4,697	8,811	8,891	8,811	5,574	5,592	5,574
New Orleans.....	8,942	8,560	7,344	6,201	4,832	8,946	9,026	8,936	5,709	5,709	5,709
Galveston.....	9,027	8,641	7,426	6,283	4,914	9,027	9,107	9,027	5,790	5,790	5,790
Liverpool.....	5,806	5,021	4,204	3,061	1,692	5,806	5,886	5,806	2,569	2,569	2,569
Hamburg.....	5,777	5,391	4,175	3,032	1,463	5,777	5,857	5,777	2,540	2,540	2,540
Antwerp.....	5,791	5,405	4,199	3,046	1,677	5,791	5,871	5,791	2,554	2,554	2,554
Bordeaux.....	5,761	5,365	4,159	3,116	1,647	5,761	5,841	5,761	2,524	2,524	2,584
Gibraltar.....	5,071	4,685	3,488	2,326	957	4,801	5,751	5,072	1,838	3,466	1,834

with opportunity for Panama cargoes. The isthmian short cut to Oceanica and Asia, comprising the coastal section of China's vast empire (not to be permitted by the Powers to remain dormant), enterprising Japan, the East Indies, Australia, New Zealand, and our own Philippine archipelago, is the world's most potential area. The awakened Orient can use American products to a practically limitless extent. One-third of the trade of these lands would make America great as a world-provider, and could be secured if we embarked seriously in an effort to obtain it. Students of economics have never admitted the logic of America's sending cotton to England, to be there converted into fabric for clothing half the people of the East.

South America's Pacific coast, too remote now for American products and manufactures to have even a foothold, should be wrested from the British and Germans when the canal is completed—for Guayaquil, Callao, Iquique and Valparaiso will then be placed in intimate touch with New York and New Orleans: they are remoter without the canal than antipodean ports. The natural market for South America's west coast, when the canal is in operation, will be the United States; and its banking should be done through New York rather than London and Hamburg. Skeptics will say that the nitrates of Chile and Peru are not required in the States, that perforce they must go to Europe. In a way this is true; but an innovation is possible by which vessels under the Stars and Stripes may capture the west-coast traffic from competing flags and hold it in permanent control.

Let the reader, content in the belief that our manufactures have an extensive use in the outer world, investigate the subject, and his reward will be to learn that *we export only a trifle more than three per cent. of what we manufacture.* Let him, also, study the statistics of our commerce with South America, natural products and manufactures of every sort—they are replete with astonishing facts. To discover that our exports to the southern continent do not exceed one dollar *per capita* of South America's population, will surprise the investigator, doubtless; and that the volume of trade has been practically stationary for years will likewise be disconcerting. South America has 40,000,000 people; but Mexico's 13,500,000 inhabitants buy more from Uncle Sam than the South Americans. We now sell Canadians annually products averaging $24 *per capita.*

The reason for the startling disparity in the statistics of trade intercourse with our adjoining neighbors, Canada and Mexico, and oversea South America, is, obviously, the lack of transportation facilities under the American flag; and the adage that "trade follows the flag" has earned more significance than attaches to a mere figure of speech. We pay South America yearly about $120,000,000 for coffee, wool, hides and other raw products; and the major share of this money is expended in Europe for necessities and luxuries of life.

If the Chamberlain preferential tariff programme wins in England, the product of Manitoba's wheat-fields can be landed in the British Isles for twelve cents a bushel less than grain grown in the States—incentive enough, Mr. James J. Hill assures us, to cause Manitoba ten years hence to produce all the wheat that Britain would have to import. If this comes to pass, Uncle Sam must look to the Orient for a customer. China, already a considerable user of our wheat and flour, when American trade in the East is under fair headway, will consume twice as much of the products of our land as go now to Great Britain. Mr. Hill's Great Northern railway prepared for Asiatic trade by constructing in a Connecticut shipyard the two largest freighters in existence. The substitution of an Oriental for a European country, as a grain customer, cannot be helpful to Panama, for our shipments would be from Pacific ports, and Manitoba's product would seek a Canadian Atlantic port.

Mr. Thompson, United States Minister to Brazil, reports that country as being so desirous of American trade that its government voluntarily makes tariff reductions on flour and several other articles without reciprocal concessions on our part. We now send $500,000 worth of flour annually to Brazil; five years ago, her flour bill with Uncle Sam was $1,800,000. Minister Thompson, discussing the preference of Brazil for American products and manufactures, says:

> "I feel that if the merchants of my country take advantage of the improved tariff conditions in Brazil our trade there should jump in a few years to $30,000,000. . . . I hate to see merchants of other countries grabbing what our countrymen can have if they reach out for it."

This entertaining expression of opinion may not be germane to canal topics, save that Brazil cannot be different in its attitude

to United States trade from other Spanish-American countries. Britain has long enjoyed the bulk of the business with the southern continent, as the reward of systematically exploiting the field years ago; but the German trader, selling German goods, delivered in German ships, is gradually elbowing John Bull out, and means to have the business of South and Central America.

The kernel of Minister Thompson's observation on American trade possibilities in Brazil is summed up in the words: "Reach out for it."

How this "reaching out" is to be accomplished, making its effect reasonably permanent, calls for brief consideration only. It should be a movement led or openly supported by the Government, it should be thorough, and it should be conducted on lines of equity and logic. No mercantile body, however zealous, can prosecute the work with reasonable chance of success. A dozen propagandas, aimed at trade extension throughout South America and Caribbean countries and islands, have been tried by American commercial bodies; but, lacking the cooperation of the Government, all failed in their purpose. Editorial campaigns of trade journals have been helpful for a time. Every nation in Europe whose foreign trade is worth considering exploits foreign countries in the thorough manner of a great commercial house—getting business by the most productive, not the easiest, methods. With several governments, the commercial *attaché* of legation or embassy is quite as important as the officer detailed by army or navy. Little good comes of circularizing legations and consulates with advertisements printed, perhaps, in dual languages. Secretary-of-State Blaine appreciated the importance to this country of Latin-American trade; but his plan for securing this was never fully made public. Probably reciprocal tariffs represented the academic side only of his programme. The new Department of Commerce, cooperating with the Department of State, and having the active assistance of our diplomatic and consular officers in South and Central America, might take the matter in hand with practically certain chances of success.

In previous contributions to the REVIEW, I have insisted that the isthmian canal, "destined to make the United States the trade arbiter of the world," could never be expected to "pay" directly. The artificial waterway is to cost a vast deal of money; with the payments to the French company and to the republic of Panama,

added to the sum necessary to the completion of the work, Uncle Sam's expenditure cannot be less than $225,000,000! It will probably be more. A private incorporation embarked in the enterprise would hold that the investment was entitled to five-per-cent. interest, say, and in time be funded. The money of the nation, embarked in a project distinctly commercial, merits a reasonable rate of income or benefit—four per cent., certainly. To operate the canal, with the expensive up-keep essential to a region of torrential rains, cannot be less than $4,000,000 annually; if the Chagres River refuses to be confined in bounds, the cost will be greater. The items of yearly expense figured here total $13,000,000—a sum to be regarded as the very minimum of the cost of maintaining and operating the canal.

Optimistic students of ocean-transportation statistics say the canal will draw 10,000,000 tons of shipping a year; others, conservative of opinion, say half this volume. Taking the mean of these estimates, I hazard the statement that, six years after the canal is opened, the tonnage will be 7,500,000. The Suez Canal was operated more than thirty years before its business aggregated 10,000,000 tons; and, to produce this volume, several reductions in tolls were necessary. The American Government cannot properly levy a heavier tribute at Panama than is demanded at Suez, for the fact is our canal will not be as essential as that uniting Europe and the East. A like tariff would produce for Uncle Sam, on the hypothesis of a business of 7,500,000 tons, only $12,750,000 a year; a higher tariff would probably produce less. And here is an unpalatable truth—Panama's earnings from passengers can never be considerable, compared with that constantly ebbing and flowing of humanity, between the home countries of Europe and their dependencies in Asia, Africa and Australasia. The *direct* increment of the canal cannot for many years yield what in a commercial enterprise could be called a "profit."

The way to compel the canal to pay *indirectly* is to make it incidental to the development of a mighty commercial marine, that will carry American products to present foreign markets, and to new markets, under the Stars and Stripes. With operations under way on the isthmus, is not the time propitious for popular discussion throughout the nation, and in official Washington, how best to *create* the commerce that will make the Panama Canal a success from its opening?

We have populated the country, developed resources of field, forest and mine, and devised matchless ways of translating natural products into finished articles appealing to all mankind. Now, let us cease sending these products of soil and workshop to market in British ships; let us forward them in vessels constructed in American shipyards, thereby making the transaction independently American. Already have we produced ocean carriers equal to the best; while American war-ships, native from keel to topmast truck, are the envy of the world. The perfecting of the turbine engine may mark a new era in shipbuilding, and mercantile craft dependent on older systems of machinery may in a few years be unable to compete with the new order of things.

In but one department of national growth is the United States backward—shipping, in its broad and commercial acceptance. To promote it should now be the plan of both political parties.

Our canal can never pay until we enter as shipowners into competition with Europe's trading nations, and these possess a material interest in the Suez undertaking. The commercial fleet at present under the American flag could not pay a tenth of Panama's operating expenses. When we seriously embark upon the work of creating a great merchant marine, we are going to rouse spirited opposition. Englishmen, Germans and Frenchmen will not like it; Europeans cannot be expected to take any interest in the welfare of our national canal, and all may object to fattening the treasury of a country that is their trade competitor. These facts, insignificant as they may seem, prove in reality the need for supplying hundreds of ocean carriers under the same flag as that flying over the canal zone.

By the time the canal is opened, the United States will have 100,000,000 inhabitants; and agriculture, assisted by ordinary methods and by irrigation, will have developed to an extent that will make our commodities dictators of supply and price. By that time, sea transportation cannot be regarded as a competitor of transcontinental railway systems that have done much towards making the country what it is: water transportation will be found a necessary adjunct to rail facilities, relieving the roads of some of their through traffic, claimed even now to be unprofitable.

FREDERIC COURTLAND PENFIELD.

STENDHAL—A STUDY.

BY COUNT LÜTZOW, PH.D.

Mr. George Moore has enriched the English language by his discovery of the "Balzacians." "All interesting men," he writes, "are Balzacians. The moment a man is an admirer of Balzac, a sort of freemasonry is established between us." The admirers of Stendhal, fewer in number, but perhaps men of deeper thought, also, I think, deserve a special designation. The name of "Stendhalians" should be applied to the "happy few" to whom Stendhal, foreseeing that he would never achieve general popularity, sometimes dedicated his works.

It is not difficult to account for the limited popularity of Stendhal. Optimism is either innate in humanity, or has become so as a result of the education of countless generations on what may be called optimist lines. There is, therefore, something in Stendhal's works that must appear antipathetic to many. Stendhal is always enlarging on the spiteful and cruel tricks which fate, in a fanciful fashion, plays on humanity. Paul Bourget has noted, in one of those clever studies which he wrote before he had found the way to Damascus, that Beyle prophesied that he would be read about the year 1880, and that that prophecy had proved true. A reaction has taken place since Bourget wrote the "*Etudes de Psychologie Contemporaine*" in 1885. The latest French writers on the subject of Stendhal—a subject that will always be discussed afresh—have judged him somewhat unfavorably. To disparage Stendhal, it has been stated that he was not of his own time, that he belonged to the eighteenth century, and that his views and manner of writing reminded the reader of Rétif de la Bretonne and Laclos. These arbitrary classifications have little value, and it could be affirmed with equal truth that Stendhal was in some matters in advance of his time, and occa-

sionally almost prophetic. Thus Stendhal has in Julien Sorel created the type of the modern *révolté*—one could almost say "anarchist." Dostoyevsky's Rozkolnikov and the hero of Bourget's "*Le Disciple*" are direct descendants of Julien Sorel.

One of the most recent French writers on Stendhal has accused him of being rather "an explorer of the middle and lower classes than an observer of the human heart." This view appears to me incorrect. Stendhal's great endeavor was to explore the byways of psychology; such studies are least feasible in an environment in which conventionality has almost effaced individuality. It should be stated, however, that, both in the "*Chartreuse de Parme*" and in "*Le Rouge et le Noir*," we meet with counts, marquises, dukes —and even reigning princes.

If we wish to attempt to fathom Stendhal's enigmatical nature, it is necessary to acquire some knowledge of the events of his life. This is not an easy task, for though Beyle was very fond of writing of himself, he had a mischievous desire of concealing his identity; thence the numerous strange pseudonyms which he adopted.

Stendhal, or rather Henry Beyle, was born at Grenoble in 1783. His youth was unhappy; and, undoubtedly, early recollections largely contributed to produce the bitterness and the hatred for all generally accepted institutions, which marked Beyle throughout his life. Beyle's father seems from the first to have disliked his eccentric son. We constantly find the echo of these family discords in Stendhal's works. Though the older Beyle was a rich lawyer, he seems to have kept his son in a state of financial dependence. As late as 1803 Stendhal writes in his diary:

"In spite of the distress in which my cruel* father leaves me, I am none the less contented. Mr. J. J. called on me to claim the 25 francs which I owe him, and cannot repay, having but the three francs that Crozet lent me."

The early reminiscences of an unhappy home mark a man's life to a greater extent than is generally imagined. The detestable fathers of Julien Sorel in the "*Le Rouge et le Noir*" and of the imaginary traveller in "*Les Mémoires d'un Touriste*" are reminiscences of the youth of their creator. It is also certain that Stendhal was not of a conciliatory nature in his dealings with his family. Thus we are told that, when the news of the

* I have softened down the epithet employed by Stendhal.

execution of Louis XVI reached Grenoble, young Beyle rejoiced, while his family, who were royalists, wept bitterly.

In the French revolution and the wars that followed it Stendhal, like so many others, found an opening, a way to escape, from the dulness and depression of home life. The Beyles were related to the Daru family, one of whose members became a Count during the Empire. Though Count Daru does not appear to have approved of his eccentric relation and Stendhal himself generally writes rather ill-naturedly of the Darus, it was through their influence that he obtained employment in the French army in Italy. Then only seventeen years old, he crossed the St. Bernard two days after Napoleon, and was first under fire at the Fort du Bard and—suspicious as he always was—he appears to have feared that his extreme youth might cause his comrades to doubt his courage. He, therefore, displayed the most reckless bravery; no doubt he also hoped that danger would give him one of the new sensations which he always craved. He was disappointed, and in the evening asked himself, "*N'est ce que cela?*" As Mr. Rod has truly stated, these words, "*N'est ce que cela,*" were to Stendhal always the melancholy refrain, the "*Leitmotif,*" of his varied experiences.

Shortly after the skirmish at the Fort du Bard, Stendhal arrived at Milan. During his first stay at the capital of Lombardy, he appears already to have acquired that passionate love for Milan which never left him, and which is commemorated on his tombstone. Love and war were then his only ideals, and to a great extent remained so. Their world-old association constantly meets us in Stendhal. Alluding to this aspect of the great writer, Mr. Maurice Hewlett has strikingly written of Julien Sorel—Stendhal's greatest figure—that he was "a little Napoleon, whose Austerlitz was Mademoiselle de la Môle, and whose Moscow was Madame Rénal." It should, however, be stated in justice to Stendhal that in later life literature, music and painting greatly interested him. Except through hints scattered in Stendhal's own journals, we know little of his first stay at Milan, nor to what extent he himself acted the part of his "Lieutenant Robert" in the "*Chartreuse de Parme.*" He always made it a point of writing obscurely, and in a purposely misleading manner, of his love-affairs; this appears to me to be a proof of good taste, though the contrary view has often been expressed. Though war,

undoubtedly, had a great fascination for Stendhal—he was present at the Battle of Marengo, as well as at the skirmish of the Fort du Bard—his independent nature and his dislike of discipline and authority prevented his regularly pursuing a military career.

It is very difficult to gather a clear account of Stendhal's life from the books that have been written about him, and perhaps his own "*Journal*," "*Souvenir d'Egotisme*" and "*Mémoires d'un Touriste*" are our best authority. There is no doubt that, during the first years after leaving the army, he led what it is usual to call a Bohemian life. On his return to Paris, he formed part of a certainly entertaining, though probably somewhat disreputable, little society, which mainly consisted of actors and actresses and civil and military employees of Napoleon's government. The centre of this little group was—at least according to Stendhal's view,—the actress Mélanie Guibert, whom with his usual mania for mystification he calls "Louason."

The part of Stendhal's journal that belongs to this point, which Mr. Kazimir Stryenski has, with marvellous accuracy, transcribed from the original manuscript at Grenoble, is of the deepest interest and throws what may be called a search-light on the mind of Beyle. The manner in which youthful hopefulness and the idealization so natural to a very young man alternate with the jealousy and distrustfulness which were natural to Stendhal, and had been yet increased by the incidents of an unhappy childhood, is very interesting. The annals of this "vicious idyll," as it has been happily called, are well worth reading in Stendhal's journal; very characteristic is the general maxim which he based on this, his first serious, experience of love. He writes: "The worst of all mistakes to which the knowledge of womanhood leads us is never to love for fear of being dupes." In spite of these wise reflections, Stendhal appears to have felt a true passion for Mélanie; and, when her theatrical duties called her to Marseilles, he followed her there. On hearing of this, old Beyle stopped supplies, and his son was for a short time obliged to earn a precarious living by acting as an assistant in a shop. Stendhal has suppressed this incident in his generally very outspoken journal.

Fortunately for Stendhal, and unfortunately for his fortunate rival, the "divine Mélanie" entirely gave up the young and impecunious Beyle shortly after their visit to Marseilles, to follow a Russian who eventually married her. Stendhal does not appear

to have regretted her as much as his former ecstatic adoration of Louason would lead one to expect.

Through Count Daru, he obtained an appointment in the commissariat of the *grande armée.* He seems to have acquitted himself successfully in discharging his new duties, and to have even won the approval of Napoleon himself by raising by a million the contribution which the town of Brunswick was ordered to pay into the French army chest during the Prussian campaign of 1806. Unfortunately, the part of Stendhal's journal that dealt with this campaign has been lost; but we have his interesting account of the next of Napoleon's innumerable wars, the campaign against Austria in 1809. The twenty-sixth part of the journal contains a description of the invasion of Austria in that year. As a proof of Stendhal's extreme cautiousness, it is interesting to quote the strange note that he has prefixed to this part of his diary. He writes:

"For prudence' sake I will write nothing, firstly, of the events; secondly, of our political relations to Germany, and particularly to Prussia, which is stupid enough not to attack us; thirdly, of Dom's* relations to the greatest of men.†

"This a journal which only *purposes* to observe myself and has no interest for others. For the sake of prudence, nothing about politics; all the names to be changed. I notice only the observations about myself."‡

The twenty-sixth part of the diary, to which Stendhal, whose perverse love for writing bad English never forsook him, has given the undertitle, "The Life and Sentiments of Silencious [*sic*] Harry,"§ treats of the writer's stay in Vienna after that town had been occupied by the French. These reminiscences of warfare are sometimes very vivid. Thus he writes from Enns:

"While walking up and down, I continued to admire the situation of Lombach. I said to myself: 'This is the most interesting sight I have ever viewed in my life.' Seeing some guns that were pointed at the monastery, I said to Lacombe: 'Nothing is wanting here except a fire and an attack of the enemy.'"

* One of Stendhal's many pseudonyms. At that time he sometimes assumed the name of "Dominico Vismara."
† Napoleon.
‡ The last two words are in English in the original.
§ Thus written in English by Stendhal.

Stendhal's wish was destined to be promptly gratified. Only a few lines later he writes:

"We went home and slept on chairs in the commander's house; we then supped and again fell asleep. At two o'clock, there is some talk of starting. I notice a strong light behind one of the houses. I say to myself: 'This is a very bright bivouac.' The light and the smoke increase. It is obvious that there is a fire. I watch the confusion caused by the fire in all its gradations—first, the tranquillity of sleep, and, at last, the clatter of the hoofs of the transport horses, which were galloping to the meeting-place from all directions."

Stendhal writes somewhat later:

"On arriving at the bridge at Ebersberg, we find corpses of men and horses; thirty were still on the bridge. It had been necessary to throw a great many into the river, which is very wide here; in the middle of the river, four hundred feet under the bridge, a horse stood upright and quite immovable—a singular effect."

It will be seen that Stendhal, like Tolstoy, who has expressed great admiration for his great predecessor, gathered on the battlefield the materials for his incomparable battlepieces.

Stendhal's last experience of war was during the Russian campaign of 1812. The part of his journal which described this campaign and the retreat from Moscow has, unfortunately, been lost. He appears here also to have practised that indifference to his surroundings and that constant introspection which—originally, probably, an affectation—had become second nature to him. In a passage of "*L'Amour*" he wrote thus of one of the characters—who, as usual, is largely modelled on the author:

"He let the day of the fall of Napoleon, which meant ruin, pass by without frowning. Then, as in Russia, he was surprised not to feel anything; he had indeed never been sufficiently afraid of anything in life to think about it for two days."

The fall of Napoleon, indeed, meant ruin for Stendhal. Though the government of the Bourbons—whom he detested—offered him employment, he decided to retire entirely from political life and seek refuge in his beloved Milan. His devotion to the fallen Emperor, to whom he dedicated his "*Histoire de la Peinture en Italie*," should be noted, as Stendhal has often been accused of selfishness and heartlessness.

It was in the sympathetic atmosphere of Milan that he first

appeared as an author. The interest in literature, art and music that had always been dormant within him now awoke.

It is impossible to write of Stendhal without referring to his love-affairs, both successful and unsuccessful. At Milan, a renewed feeling of affection for Signora P——, whom he had known when he was almost a boy during his first stay at Milan, entirely absorbed him. Though the name is well known in Italy, it is, perhaps, even after the lapse of a century, well to imitate Stendhal's discretion. It is sufficient to say that the lady was the original of the Contessa Pietranera in the "*Chartreuse de Parme.*" The first book that Stendhal published was a life of Haydn. "*Rome, Naples et Florence,*" "*L'Amour*" and the "*Histoire de la Peinture en Italie*" rapidly followed. Of these three books, the two first-named are little more than continuations of his journal, which he now ceased to keep.

If it was possible for Stendhal to be happy, he was so when staying at Milan—a town whose charm he never could forget. His autobiographic writings—and most of his books are to a greater or lesser degree autobiographic—at this time constantly insist on the contrast between the stiffness, conventionality and insincerity of French life, and the freedom, individualism and artistic feeling of Milan. There is, no doubt, much truth in this; but it is easy to perceive that Stendhal, to a great extent, attributed to local circumstances that feeling of relief that all experience who have held official positions and suddenly find themselves "gentlemen at large."

At any rate, nobody will quarrel with Stendhal for preferring the company of the poets and singers whom he met at Milan to that of the Napoleonic officials, whose brutality and dishonesty he has so graphically described. Very interesting is his account of his meeting with Byron at the Scala Theatre. He writes:

"One evening we saw at the Scala a young man enter the box (of Monsignor Louis de Brême), who was rather short, and had magnificent eyes. When he stepped to the front of the box, we noticed that he limped slightly. Monsignor de Brême said to us: 'Gentlemen! Lord Byron.' He then named us to his Lordship. This was done with as much ceremony as the grandfather of Monsignor de Brême, who was ambassador of Savoy at the court of Louis XIV, would have shown."

Stendhal, who apparently considered Lord Byron responsible to some extent for the then recent deportation of Napoleon to

St. Helena, at first treated the poet with great reserve. He writes: "My determination to remain on very cold terms no doubt accounts for the fact that, after a few days, Lord Byron showed me proofs of great kindness." After describing a conversation, at the Scala, on the British policy, he continues:

"All those who were present in the box thought that, after this discussion, which had been very sharp, though I had behaved in a very civil and even respectful manner, Lord Byron would never speak to me again. But, on the following day, he took my arm, and walked with me through the enormous, solitary passages of the Scala. I was charmed by his kindness, but I was mistaken.* Lord Byron wished to ask a hundred questions of one who had been an eye-witness of the Russian campaign. He wanted to reach the truth by trying to put me out of countenance; in fact, I underwent a cross-examination.† I did not then notice it. That night I read 'Childe Harold' with wild delight. I loved Lord Byron."

It would be very tempting to linger over Stendhal's Italian impressions, but want of space prevents my doing so; besides, Stendhal will always—and rightly—be known mainly as the author of *"Le Rouge et le Noir"* and *"La Chartreuse de Parme."* The almost exaggerated caution of Stendhal did not, in the long run, enable him to escape the suspicion of Metternich's police at Milan. He was obliged to leave the Austrian territory and went to Paris, where he remained almost continuously up to the year 1830, which brought another great change in his career. Though he produced other works at this time, it is the famous *"Le Rouge et le Noir"* that marks this period in the life of Beyle. The impress of the clerical-Bourbon rule, which Stendhal hated, is traceable in every line of the book.

Few novels, perhaps, have caused so much controversy; few that had but a moderate success when they appeared—though it is a mistake to believe that *"Le Rouge et Le Noir"* was a failure at first—have had so much influence on later generations, have found so many blind admirers. The story itself is very simple, and is told with almost affected simplicity. The hero, Julien Sorel, is the son of "Father Sorel as he is called, now that he is a man of means,"‡ who is the owner of a sawmill.

* The note of true Stendhalian distrust is discernible here.

† The last words are in English in the original.

‡ Here, as in future, I quote the excellent translation of *"Le Rouge et le Noir,"* by E. T. Robins.

Julien, who is ill-treated by his father and brothers, succeeds in obtaining a certain amount of learning, particularly a considerable knowledge of Latin, by means of his friendship with the Abbé Chelan. Enemy of the church of Rome—I had almost written "*mangeur de prêtres*"—though Stendhal was, he has succeeded in giving a striking and sympathetic portrait of this priest. Julien's only other friend and instructor was an old army surgeon, who had taken part in the Napoleonic wars, which are his only subject of conversation, the "*Bulletins de la Grande Armée*" being his gospel.

Poor and unhappy at home, Julien gladly accepts the suggestion that he should become tutor to the children of M. de Rénal, who is mayor of the imaginary town of Verrières, which Stendhal has created as a *milieu* for his tale. Julien soon attracts the attention of Madame de Rénal, who hitherto "had thought that M. de Rénal was much less tiresome than the other men of her acquaintance," and had "always regarded the passions, as we regard the lottery—an investment from which fools alone expect a fortune." Julien at first is very timid and reproaches himself severely. "I am wanting in resolution," he says; "I should have made a poor soldier to serve under Napoleon." He seeks comfort in reading the Napoleonic bulletins, which his old friend the army surgeon had left him. Inspired by them, he finally declares his love to Madame de Rénal. During this whole "campaign," the question, "*Qu'aurait fait Napoléon?*" constantly occurs to Julien. Similarly, when later in the book he is preparing to scale the window of Mathilde de la Môle's room, he seeks courage by looking at a bust of Richelieu. The chiselled features seemed turned on him sternly, as if reproaching him for the lack of that audacity so natural to the French character. "In your time, great man, should I have hesitated!"

This habit, amounting to mania, of introducing events of history or fiction into the lives of his heroes with which they have no apparent connection is intensely Stendhalian. Such a line of thought is undoubtedly morbid, but it is not so impossible as it seems to some. It is also, perhaps, more frequent among those of later generations, than among Stendhal's contemporaries. It is indeed almost a truism to state that all great works of fiction have to a certain extent moulded the minds of men and women of later generations, particularly when they read them in their

youth. An example to the point occurs to me. An English friend has told me that, some years ago, his name had—though unjustly—been entangled in a divorce case that was then creating a great sensation. My friend's social position appeared endangered, and he determined to go to Paris for a short time. There, at the Hôtel Régina, near the Louvre, my friend, who is very Stendhalian, almost forgot his troubles while studying the masterpieces of the neighboring gallery. He had not brought many of his books, and therefore depended to a great extent on the scanty library of the hotel. This library contained Thackeray's "Vanity Fair"; and, as so often happens, when one repeatedly reads a work of genius, the book became an obsession to him. One evening, when returning from a walk, he bought an English paper, and the words, "The —— divorce," stared him in the face. Immediate and decisive action was necessary. My friend tells me that that evening Thackeray's words, "The enemy has passed the Sambre, and our left is already engaged; come away; we march in three hours," haunted him.

To return to Julien, it should be mentioned that he left the house of the Rénals shortly after this, his first, love-affair. He first went to Besançon, to continue there his preparations for an ecclesiastical career. Julien's life at the seminary is described with great *finesse,* but we must always remember that we are reading the work of an enemy of the Church of Rome.

"Julien," Stendhal writes, "vainly endeavored to reduce himself mentally and physically to the level of his associates; he could not please; he was too different." Finally, through priestly influence, Julien obtains the position of private secretary to the Marquis de la Môle, a great landowner, who, for some ill-defined political purpose, spends a large part of the year in Paris; for even in fiction Stendhal maintains his appearance of secrecy. Julien soon attracts the attention of Mademoiselle Mathilde de la Môle, the marquis's daughter; she is certainly one of the strangest, though probably not to many one of the most sympathetic, characters in fiction. Mathilde de la Môle is one of the few figures in history or romance who have found what may almost be called passionate lovers. The strange mixture of pedantry, sensuality and half-despair which constitutes her personality is very difficult to analyze, and I do not attempt a task in which great French authors, who have written of Stendhal, have failed.

It is only possible to outline her character by quoting some of Stendhal's most striking notes concerning Mathilde, who was evidently his favorite heroine. Thus he tells us that "Mathilde's handsome eyes, instinct with the profoundest ennui and, what was still worse, the despair of ever finding pleasure more in life, fell on Julien"; and that she "looked forward to the future, not with terror—that was a more pronounced sentiment than comported with her nature—but with a disgust rare in one so young."

"*Le Rouge et le Noir*" is so well known that it seems superfluous to give a full account of Stendhal's romance. It is agreed that Julien shall marry Mathilde, and the marquis has undertaken to insure his career. At the last moment, everything is overthrown by a clerical intrigue. On the advice of her confessor, Madame de Rénal writes a letter to the Marquis de la Môle, informing him that "Julien is entirely devoid of religious principles, and that it is a settled policy with him to secure a foothold in a family by trying to seduce the woman whose credit there is greatest." A despairing letter of Mathilde reaches Julien at Strasburg, where, through the influence of the Marquis de la Môle, he has obtained an appointment as officer in a cavalry regiment. Julien hurries to Paris, where he has an interview with Mademoiselle de la Môle, who shows him Madame de Rénal's letter. He now starts immediately for Verrières, finds Madame de Rénal in church, and fires two pistol-shots at her, wounding her severely. Julien is arrested, tried, convicted and decapitated.

The end of the book is very Stendhalian. During the time that Julien had been employed as secretary at the Hôtel de la Môle, he had noticed that Mathilde appeared at dinner one day in deep mourning. He questioned one of the guests, who answered: "Is it possible that you are ignorant of what occurred on the Place de la Grève on April 30th, 1574?" Julien is then told that on that day one of Mathilde's ancestors, Boniface de la Môle, the handsomest young man of his day, had been decapitated. He had been the adored lover of Queen Marguerite of Navarre, and had attempted to rescue from prison the Duc d'Alençon and the King of Navarre, afterwards King Henry IV—the husband of his mistress—who had both been imprisoned by order of Catherine de Médici. The attempt failed and Boniface was decapitated. "But what most impressed Mathilde de la Môle," Stendhal writes, "in that political catastrophe was the behavior of Queen Mar-

guerite, who witnessed her lover's death from the window of a house in the Place de la Grève, and sent her women to beg his head from the executioner. The following night, on the stroke of twelve, she took the head in her carriage, and buried it in person in a little chapel at the foot of the Montmartre hill."

Mathilde resolves similarly to honor her own lover after death. She persuades Fouqué to obtain her lover's corpse for her:

"'I wish to see him,' she said. Fouqué had not the courage to speak or to rise. He pointed to an ample blue mantle spread upon the floor. Its folds covered all that remained of Julien.

"She sank to her knees. Doubtless, the remembrance of Boniface de la Môle inspired her with more than human courage. . . . When Fouqué ventured to look in her direction, she had placed Julien's head on a small marble-topped table, and, kneeling before it, was kissing the cold brow. . . . She followed her lover's remains to the tomb."

The year 1830, the year in which "*Le Rouge et le Noir*" appeared, greatly influenced Stendhal's life. The Bourbon rule which he detested came to an end, and the reign of Louis Philippe —welcomed by Stendhal, as by so many others, as the dawn of freedom—began. Stendhal believed that "*la liberté de la presse et les deux chambres*"—his favorite demands—would now be obtained. Stendhal's political views have often puzzled his readers; but his strange combination of blind admiration for Napoleon and intense desire for popular liberty was not as strange in the period between 1815 and 1830 as it would appear now. Besides, Stendhal was, above all, an enemy of the Church of Rome; one who had had the courage to imprison a Pope was sure to secure his sympathy. The new government at last raised Stendhal from his precarious position. He was appointed consul at Cività Vecchia in the Papal States, and remained there with short interruptions up to his death in 1842. In his last years, he tired even of his beloved Italy. "*J'ai trop vu le Soleil,*" he is reported to have said frequently during his last years. Still, some of his best works belong to this his last stay in Italy. Of these the "*Chartreuse de Parme*" is the best known. I must plead guilty to considering it vastly inferior to the "*Rouge et le Noir,*" of which it is to a certain extent a counterpart. It is devoid of the energy—Stendhal's favorite word—of the earlier book. Of the other writings of this period, a series of Italian sketches—afterwards published jointly under the name of "*Chroniques Italiennes*"—de-

serve notice. One of these tales, "*L'Abesse de Castro,*" ranks among Stendhal's finest works. It was first published in 1839 in the "*Revue des Deux Mondes*" under the pseudonym of "F. de Lagenais." It records the loves of the *condottiere* Julien Branciforte and Elena di Campireali. Branciforte is obliged to fly, and enlists as a volunteer in the Spanish army—the scene is placed in the Neapolitan Kingdom. Elena becomes a nun and eventually Abbess of her convent. She believes Julien to have been killed in Mexico, and becomes faithless to his memory. Discovering that he is still alive, she resolves to die; but, before doing so, writes to him one of the most pathetic letters that a woman has ever written to a man. She then visits Ugone, an old friend of Branciforte. She finds him asleep and is thus able to obtain possession of his dagger. She then awakes him and asks him to deliver her letter to his friend. Guessing its contents, he hesitates to do so. "Madam," he says, "have you reflected on what you are doing? The Signor Julio loves you so much." "I, also," she answers, "love him; take the letter and carry it to him yourself." "Well, may God bless you who are so good!" Ugone said to the Abbess. Then, Stendhal says, "Ugone went away and returned very shortly; he found Elena dead; his dagger had pierced her heart."

Nietzsche, perhaps the last of the great German philosophers, has written of Stendhal that, of all Frenchmen of his century, he was the one whose eyes and ears had been richest in thought. Long before I had read these lines I had noticed Stendhal's influence on Nietzsche. There is common to both that admiration for the Italian Renaissance when an "overman"—be it a Pope's son, like Cesare Borgia, or a *condottiere,* a brigand, such as Branciforte—could and did overrule the ordinary laws of humanity. When Count Mosca, in the "*Chartreuse de Parme,*" asks Clelia Conti whether she has "enough wit to despise her father," and when Julien Sorel, on the eve of death, remarks of his father—who embraced him only after he found that he was leaving a little money—"This, then, is paternal love!" we find ourselves in those weird regions which Nietzsche has described as "*Jenseits des Guten und Bösen.*"

A French writer on Stendhal has briefly summed up his career in these words: "He loved much and he wrote much; therefore, much should be forgiven to him." I do not think that I can improve on this verdict.

LUTZOW.

SCIENCE AND IMMORTALITY.

BY J. SANDERSON CHRISTISON, M.D.

WE are accustomed to be told that the question of immortality can be satisfactorily settled only by the materialization of a properly accredited ghost. Absurd and impossible as this demand may seem, it now appears that the Society for Psychical Research, a vigorous, learned and modern body, containing many of our ablest psychologists and men eminent in other sciences, on both sides of the Atlantic, is almost ready to vouch for the possibility of such a demonstration. Indeed, in the opinion of some of its most distinguished members, such evidence has been found; while others, not so fully persuaded, freely admit that there are evidences pointing in that direction. And these conclusions follow after long and careful investigations which were entered upon in a spirit of scepticism. Such testimony is surely entitled to respectful consideration, since there is no moral or scientific authority for denying what we cannot disprove.

If, however, our belief in immortality were to depend exclusively upon such evidence coming to us direct—that is to say, by the reappearance of or communication with deceased persons—I fear not all of us would find the required opportunity to become persuaded. Such phenomena are regarded by many as being incredible on the ground that they are exceptional, and not in accordance with the usual order of Nature. But Nature is constantly presenting us with exceptional phenomena which we can neither deny nor explain. What shall we say of the astonishing events of trance, of somnambulism, of telepathy? That they occur is certain. And what shall we say of the organic exceptions to Nature's apparent rules—the so-called paradoxes—which are no less puzzling and are very numerous? There are "sports" among plants; there are five-legged quadrupeds; there are

albinos among negroes; and among certain animals the isolated females habitually produce perfect offspring.

For the most part, such exceptions as I refer to are known to us only through the testimony of others. Yet who among us has reasons for denying them? And, if an exception in Nature is possible at all, it is possible anywhere and at any time, for it is an exception only because of our inability to explain it by other phenomena. It cannot be regarded as a break in the plan of creation, a plan which we shall later see is declared by science to be absolutely unfathomable. Yet, we are possessed with capacities for increasing our knowledge and understanding, which, in return, increase our capacity for believing what we do not understand. Is it not more than likely that the representative mind of the eighteenth century would have doubted any prophecy declaring that we would listen to the voices of each other a thousand miles apart, or that we would be able to see with our eyes through the hide of an ox? Yet, to-day these things are commonplace. The truth is, that those who have the widest knowledge are the most humble before well-attested exceptions; for, while we know what we expect, nothing is more certain than that we never know that what we expect will happen.

But in so far as Nature is known to us at all, her methods of working are found to be absolutely invariable, and her apparent irregularities seem the more regular the more they are understood. How otherwise could there be that harmony and balance in Nature which is the basis of all confidence and hope? We truly feel that we can trust Nature. But to what extent do we really understand her? Let us hear what science has to say. But, first, let us understand what science is, and then we shall know upon what she is entitled to speak and to what extent; for it is chiefly in the name of science that objections to a belief in immortality have of late years arisen.

Science is defined as classified knowledge. It is more correctly defined as the imperfect classification of imperfect knowledge. Indeed, some of its departments do not appear to be in a very robust or orderly condition. For example, Professor Starr Jordan has recently compared the science of Geology to "a book with half its leaves torn out, and the other half confused, displaced and blotted."* Such a condition would seem to be a good

* "Popular Science Monthly," October, 1902.

illustration of divine irregularities. But much the same comment can be sustained against other departments of science, while it is quite certain that no department has spoken its last word. Such being the case, it is evident that the deductions of science, commonly called "laws of Nature," are necessarily limited and fragmentary in their range. Furthermore, it is to be noted that they are merely human conceptions; for, as Huxley has said, "a law of Nature is the product of a mental operation upon the facts of Nature which come under our observation, and has no more existence outside of the mind than color has." Thus we see that science at best is simply the product of an orderly method of observation which may be applied to any subject whatever; and its laws are merely condensed statements of observed facts.

However, it must be evident to any one that a distinction must be made between science and scientists, for while the very nature of science is order and precision, scientists are prone to suffer from human infirmities.

It was the keen-minded Huxley who also declared that "science warns us that an opinion which outstrips evidence is not only a blunder but a crime." I think no one can dispute this, if it is only made clear as to what constitutes evidence. It is certain that were we to judge the soundness of science by the variety of theories at present held by scientists in the name of evolution, we would have to pronounce her a very uncertain authority on questions of fundamental importance.

But, as previously observed, science can only give a very limited range of testimony with any degree of certainty, for the reason that its departments are not only imperfect developments in themselves, but that they are specializations in knowledge, which have no authority to speak beyond their own phenomena until they are compared with one another. But, as Nature is a recognized unit, we would require a full knowledge of all the sciences, were they complete, before we could obtain the white light of a universal wisdom which is necessary to the comprehension of the fundamental problems involved in the mechanism of Nature. This requirement is strictly in accordance with the scientific dogma that science stops where evidence stops. Indeed, the solution by science of any fundamental problem of life whatever must necessarily await the conclusion of all possible investigation; whereas, the needs of humanity require that they come at the

beginning as guides and illuminators to our very first steps. It would have been a strange condition of affairs if man had been required to wait upon science for that knowledge which is most essential to his welfare. But, even if science had analyzed the whole universe, it could reveal nothing more, as a contribution to our knowledge of personal relationship or duty, than what is knowable without such aid, inasmuch as a complete synthetic product resulting from a final analysis of all things tangible could result in nothing more and nothing less than Nature as she is, with all the phenomena as perceived through our outer and inner senses, unaided by any scientific devices. It is in this view that Nature is most readily seen to be the harmonious expression of both the means and the purpose of all law. The tendency of men of science is to ignore this aspect of Nature, as if the uncertain physiology of a part were the philosophy of the whole. Nevertheless, it is the general phenomena of Nature, into which we are born and among which we grow up, that are best understood and most informative, while the uncertainties with which we find ourselves surrounded constitute the very spice of life, the divine means for the development of faith, hope and charity, which some would seem to regard as the mere effluvia of organic decomposition.

It is surely clear to all that, owing to the imperfect state of science, it is in no position to dogmatize respecting the scheme of Nature, or even upon Nature's possibilities. Furthermore, it appears as a revelation of its own, that, in respect to the solution of any fundamental scheme of Nature, science is utterly helpless and hopeless, inasmuch as the greatest of all her discoveries is the fact that she is doomed to labor forever in the clouds of a universal paradox, wherein the farther she proceeds the more remote seems the end. Professor McKendrick, of Glasgow, has recently reminded us of this fact in regard to Physiology;* while Lord Kelvin has also quite recently told us that, as far as Physics and Chemistry go, these two sciences give no evidences whatever in support of the theory of evolution,† which is practically an announcement that the two most advanced sciences, those which deal with the final analysis of all things appreciable to our senses, absolutely deny the possibility of an

* Presidential Address, Section of Physiology, British Association for the Advancement of Science, 1901; "Nature," September 26, 1901.

† Address reported in "The Times," London, May 4, 1903.

automatic universe. It is even beginning to appear that the biological sciences are barren on the same question. Dr. Beard, the distinguished lecturer on comparative Embryology, in the University of Edinburgh, made the declaration* before the British Medical Association last summer that "the theory of natural selection (Darwinian theory) explains nothing at all beyond the state of science in certain years of the nineteenth century. . . . Unfortunately," he continued, "the belief in natural selection has become a superstition, and is now the personification of a mysterious deity." Other eminent biologists and philosophers can be quoted to the same effect. That such a theory as the Darwinian has attained so widespread acceptance, is but an illustration that no class of individuals are exempt from thought infection, wherever the mental soil has been rendered susceptible through the incoherence of an overloaded and restless ego. It is usually easier to follow suit than to follow the exactions of logic.

In this connection we must remember that the theory of evolution is not merely a claim respecting an order of events in Nature, but it is also a declaration of their mode of arrival as the grand scheme of the universe. In the light of the scientific axiom that only equals can comprehend equals, such an assumption must seem a monstrosity.

But, for the very reason that Chemistry and Physics do not support the theory of evolution, which attributes the origin of life to purely material things, we find that they give substantial support to a belief in personal immortality by their demonstration of certain principles which are a necessary part of all organic equations. They have demonstrated the principle that all matter is composed of individualities, and that these individualities are absolutely indestructible, although capable of assuming many relations. These individualities, or indivisible particles, may be displaced and recombined into many forms, but they can never be destroyed or deprived of their identity. As Stewart and Tait, the eminent physicists, observed some twenty years ago, "Experiments of the most varied kind consistently show us that we cannot produce or destroy even the smallest quantity of matter." Indeed, the very order and harmony of Nature are dependent upon the specific and unalterable character of its elementary constituents. They are the orderly means for an orderly service

* "British Medical Journal," October 15, 1904, p. 971.

and end. In other words, the physical materials of Nature are composed of immortal entities, as far as human reason and experience can discover. Nothing in Nature is ever lost but *form*, and nothing *of* Nature can be conceived as changing Nature.

But, farther than this, the science of Chemistry points through reason from the finite to the infinite—from a physical to a metaphysical realm beyond all things appreciable by our senses. Says Professor Ira Remsen, of Johns Hopkins, in a recent address:*

"The chemist is brought face to face with facts which lead him to the belief that the smallest particles he can weigh by the aid of the most delicate balance, and the smallest particle he can see by the aid of the most powerful microscope, are immense as compared with those of which he has good reason to believe the various kinds of matter to be made up."

Thus the master chemist concurs with the master physicist, Lord Kelvin, when he says that "we have an unknown object placed before us in science."†

To assume, as some evolutionists seem inclined to do, that the various elements are but different groupings of the particles or atoms of the same substance, is simply to shift the problems of their origin and control to another base without in any way accounting for either.

In passing from the inorganic to the organic world, we must cross an immeasurable gap which all the industry of science has failed to bridge. Herbert Spencer long ago promised a volume that was to reveal the evolution of things living from things without life. But this promise he failed to keep.

But, respecting this gap between the unorganized and organized worlds, Lord Kelvin has stated the case of science in his recent address to the students of St. George's Hospital, London:‡

"Let not youthful minds be dazzled by the imaginings of the daily newspapers that, because Berthelot and others have thus made foodstuffs, they can make living things, or that there is any prospect of a process being found in any laboratory for making a living thing, whether the minutest germ of bacteriology or anything smaller or greater. There is an absolute distinction between crystals and cells. Anything that crystallizes may be made by the chemist. Nothing approaching to the

* Worcester Polytechnic, June 4, 1903; "Science," July, 1903.
† "Nineteenth Century," June, 1903.
‡ "Nature," November 3, 1904.

cell of a living creature has ever yet been made. The general result of an enormous amount of exceedingly intricate and thoroughgoing investigation by Huxley and Hooker and others of the present age, and by some of their predecessors in both the nineteenth and eighteenth centuries, is that no artificial process whatever can make living matter out of dead. This is vastly beyond the subject of the chemical laboratory, vastly beyond my own subject of physics or of electricity—beyond it in depth of scientific and of human interest."

Professor Wilson, of Columbia University, in his work, "The Cell and Heredity," declares that the more the cell is studied, the farther removed it appears from the inorganic world. The cell is an object composed of matter and energy *plus* a *something* which cannot be tested by any test that can be applied to matter or energy; and, therefore, it is a something which is neither matter nor energy. This intangible something—this life-property or organizing power, without which the cell would be nothing but dead matter or a bundle of crystals, cannot be regarded as a product of the matter composing the cell, inasmuch as the matter composing the cells or germs is identical for organisms which are vastly different in their final structures. For example, the germ-cells of a polyp and a fish are substantially alike and may grow side by side in the same drop of water, the one becoming a simple polyp, while the other assumes the complex form of a fish. Thus it is evident that neither the mere substance of the cells, nor anything in their environment, can account for the life-property or organizing power which is manifested by their difference in development. Professor Brooks, of Johns Hopkins University, in speaking of this organizing power of the germ, says:*

"While we know nothing of its origin, there seem to be insuperable objections to the view that this influence is either matter or energy. If it is physical energy, or wave motion, or perigenesis of plastidules, it is hard to understand why it has not all been dissipated long ago, or how it can multiply itself."

Professor McKendrick observes that:†

"If the matter were considered fully, it becomes evident that the phenomena of life depend on changes occurring in the interaction of particles of matter far too small even to be seen by the strongest magnification yet obtained by microscopes."

* "Foundations of Zoology," p. 281.
† "Nature," September 26, 1901.

Professor Clerk Maxwell, in the "Encyclopedia Britannica," presented three propositions respecting the nature of the germ-cell, namely, first, the germ cannot be structureless, otherwise it could not develop into a future being with its thousands of characteristics; second, if it is structural, it is too small to contain a sufficient number of molecules to account for all the characteristics that are transmitted; or, thirdly, that the germ-cell is not a purely material system. It is evident that the first two propositions entirely destroy each other, so that the third or last proposition, namely, that the germ is not a purely material system, is the only view which can be logically held. Indeed, it must be obvious to any one that the qualities which remove a germ so far from the inorganic world are due to something which is more than, and different from, the mere energies of the physical constituents of the cell.

Thus far it is seen that, by a consideration of both the inorganic and organic worlds, we are left with the logical conclusion that visible things are manifestations of things that are invisible, of realities that manifest themselves, of powers in control. The mere matter composing organic cells or germs, the chemist tells us, is entirely decomposable into elementary indivisible and indestructible particles which possess unalterable qualities. A dead cell may be a complex composition, but it has lost all that gave it importance as an organic body—namely, the powers to feed, to grow, to reproduce and to exhibit what is physiologically known as "irritability." These are qualities which, as Lord Kelvin has observed, cannot be manufactured; and, whatever is made to account for them, it is evidently a something which is significant of order and purpose and quite as specific in its nature as any chemical element, as is made evident by its definite order of behavior. If these life-properties were simply the product of the properties of matter, then, in one way or another, they would answer to the tests of matter, which they do not; while it is an axiom of science that things which do not react to the same tests are not of the same category or kinship. And, since nothing can produce nothing, a phenomenon of any kind must represent *something*.

And once a something is admitted to exist, it must be admitted to exist forever, unless it can be shown to be decomposable into various constituents. But, so far as we know, the organizing

power of a germ is incapable of being decomposed into independent parts, and therefore, as an individuality it can neither destroy itself nor be destroyed. It is as much a specific entity at one time as another. No other conclusion is warranted by the dogma of science that we shall not believe without evidence.

If we turn from the structurally blank germ-cell to an inspection of its highest development as seen in adult man, we shall observe a much greater complexity of phenomena which cannot be accounted for by any physical tests. Indeed, from a scientific view-point, the whole question of personal immortality may be decided upon the demonstrable relationship of the brain to the phenomena collectively known as "mind," for it is generally believed that, in one way or another, the brain is either the seat of the mind or that mind is a product of the brain. To render a decision, two questions must be answered, namely: (1) are brain and mind separable? and (2) if they are separable, is mind an indivisible unit? The first question will be affirmed if it can be shown that brain and mental phenomena are not parallel to each other in all their conditions—that is to say, if they are not invariably associated in the same relations or proportions as would necessarily be the case if mind were a mere product of the brain and entirely dependent upon it. This much accomplished, it will then only remain to be shown that mind is an indivisible unit, to meet the requirements of scientific exaction and receive the verdict which science renders regarding all individualities, namely, endless existence.

Those who hold the opinion that mind does not exist as an entity, but is simply a manifestation of brain-cell activity, base their assumption upon the observation that mental phenomena are influenced by physical conditions, including disease and drugs. Such observations, however, only show that the sensory or motor organs and their associating lines are crippled or perverted in their serviceability as agents of the mind, and consequently the mind is, in some degree or other, thrown out of its normal experience and mode of exercise. Restore the brain functions, and the mind is restored to its usual freedom and modes of activity. The condition is merely a problem of deranged environment.

Of late years, the "localization theory" of the brain—the theory of special functions for special parts—which is supported by experiments upon monkeys, dogs, etc., and also by the fre-

quent observations that diseases of special parts of the brain in man often show a functional correspondence with the experiments on animals,—has influenced some persons in favor of the non-entity of mind.

But, in so far as the brain is a mechanical centre of association for the nerves coming and going from all parts of the body, so far we would naturally expect to find that special parts of its mechanism would represent special organs and functions of the body. But observations have extended farther than this; for it has been found that certain parts of the brain, when diseased, have frequently, but not invariably, been represented by some form of mental defect, such as mind-blindness, mind-deafness, or some break among the threads of memory, according to the part of the brain affected. While such observations cannot reasonably be disputed, their explanation on a materialistic basis is absolutely untenable, inasmuch as all parts of the brain thus involved have often been found diseased or absent without ever having manifested any of the symptoms which the parallelism of the materialistic theory would necessitate, or even any symptoms whatever. As Sir Charles Beevor, in his summing up of the evidences of tumors of the brain, says:*

"Tumors may occur without giving rise to the symptoms which would be expected, and tumors may give rise to symptoms which are associated with other parts of the brain, and tumors may occur without giving any symptoms at all, although situated in parts of the brain whose functions are considered to be known."

Such observations effectually destroy any theory of mind localization in the brain which makes particular mental phenomena a mere product of particular parts of the brain. But we will consider the brain in its front, back and middle divisions.

Professor Schaefer, of Edinburgh University, whose name is chiefly associated with researches upon the functions of the brain, states† that Welt has collected fifty-nine cases of lesions confined to the frontal region of the brain in man, forty-seven of which (about eighty per cent.) showed no changes in either intellectual capacity or in character, and only twelve of the total number had such changes recorded. Schaefer farther remarks that in several

* "Brain," autumn, 1898.
† Schaefer's "Physiology," Vol. 2, p. 773.

monkeys he has completely removed both frontal lobes "without producing the slightest sign of the mental and intellectual dulness and alteration of character which has been regarded as pathognomonic of a lesion of this region" (p. 772, Vol. 2). The case recorded by Dr. Francis,* and one by myself,† had each extensive destruction of both frontal lobes, and yet neither of the subjects exhibited any mental aberration or anything else that could not be accounted for by mere loss of nervous energy. Many other cases could be cited, bearing upon the functions of the frontal lobes of the brain, with the same result in their showing.

The middle third of the brain is the area recognized as containing the executive centres for motion and general sensation. Yet, even these centres are not indispensable for the performance of the functions with which they seem to be usually associated. And it is hardly remarkable that this middle area of the brain (parietal lobes), rather than the frontal lobes (as Schaefer remarks), has been especially found to be developed in some men of genius—namely, Bach, Beethoven, Döllinger, Gauss, Liebig and Kant. But, as showing that even the middle third of the brain is not indispensable for mental integrity, I will cite three or four cases in point. Professor Putnam, of Harvard University, records the case of a man, thirty years of age,‡ whose entire left side of the brain (excepting the posterior lobe and lower portions of the frontal and temporal lobes) was destroyed by a diseased growth "which everywhere compressed the adjoining brain tissues, and to a great extent destroyed them"; and yet, in this man, "no notable mental changes were observable . . . His mind was clear and he read and understood with pleasure, and enjoyed the society of his family and friends; and although he dragged his right leg, he walked well, going to church and back, half a mile off, and he drove his horse to town, eight miles away, four days before his death."

Dr. Pierce Bailey, of Columbia University, records the case§ of a man, aged fifty-seven years, the entire right side of whose brain was destroyed of its gray-matter cells, while a large cyst containing a straw-colored fluid occupied the frontal lobes of the same side. Yet, says Dr. Bailey:

* "American Journal of Medical Science," June, 1895.
† "Philadelphia Medical Journal," June 21, 1899.
‡ "Boston Medical and Surgical Journal," February 9, 1899.
§ "American Journal of Medical Science," March, 1899.

"Up to the last his speech was perfectly normal, reading was not interfered with, and memory was unaffected. He was courteous and intelligent and patient; he was cheerful and attentive, and his power of attention was very good. He read the papers constantly, liked to talk politics, and was interested in the affairs of the hospital. He was singularly free from periods of depression, of emotional excitement, of irritability, of apathy, or of any other mental manifestation so common in gross brain diseases. He was cleanly, and in the three years of daily observation upon him there was nothing whatever at any time to indicate that his character or mental capacity was in the slightest affected."

Dr. W. B. Haddon, of St. Thomas's Hospital, London, records the case* of a man, twenty-one years of age, with an enormous tumor occupying the left side of the brain and severely compressing adjacent structures. Yet, says Dr. Haddon:

"Although he occasionally had an epileptic fit and stammered slightly from childhood, he had no paralysis. He was somewhat opinionated, but evinced no moral perversion. At the time of his death (he died in a fit) he was clerk in the steward's office of St. Thomas's Hospital, and a few days later he would have entered the government examination for a second-grade certificate in perspective and drawing, branches in which he was pronounced by experts to be exceptionally proficient."

Professor Andral, of the University of Paris, records the case† of a man, twenty-eight years of age, who had the whole of the right half of his brain so completely atrophied that its covering membrane (*pia mater*) formed a cyst in which there was not a trace of brain tissue. The floor of the cyst was formed by the optic thalamus, the corpus striatum, and the parts on a level with these two bodies. Yet, says Andral, this man "had received a good education, had a good memory, and exhibited as much intelligence as most men."

In regard to the posterior third of the brain, which includes what is regarded as a centre for vision, a like array of testimony can be produced—namely, the existence of more or less extensive tumors without vision or mind being deranged. Professor Henchen collected eleven cases‡ in which there existed more or less extensive disease of the posterior lobes without vision being affected. Dr. Ferrier, in his work, "The Functions of the Brain," says:

* "Brain," January, 1889.
† "Reference Handbook of the Medical Sciences," Vol. 4, p. 97.
‡ "Brain," Vol. 15, p. 177.

"Though the occipital lobes (posterior) are included in the visual centres, it is, nevertheless, a remarkable fact that they can be injured or cut off bodily, almost up to the parieto-occipital fissure, on one or both sides simultaneously, without the slightest appreciable impairment of vision. This fact, which I have already observed in my former experiments, has been completely confirmed by Professor Yeo and myself and also by Professors Horsley and Schaefer."

In respect to the influence of form of brain upon mental phenomena, it can be pointed out that even the thick band of fibres, known as the *corpus callosum,* and which joins the two halves of the brain, connecting all parts of one half with all parts of the other, is not an essential organ for the free and normal action of the mind. Dr. W. W. Ireland has recently stated that there are at least six such illustrations on record. Three cases are noted in my own little work, "Brain and Mind." Nor are the convolutions or folds upon the surface of the brain significant of any mental quality so far as known. I need only refer to the charts of the brains of Gauss and Chauncey Wright, the two eminent mathematicians. The brain of Gauss, as recorded by Rudolph Wagner, was very markedly excessive in folds compared with the average brain; while the brain of Wright is described by Professor Dwight, of Harvard, as being simpler in its folds than the brain of a Venus Hottentot (a form of African idiot). The same disparity exists among the lower animals, for we observe that the resourceful beaver and the marmoset ape have no surface folds to their brains, while such folds are found to exist in the brains of animals so low down the scale of mammals as the echidna and macropus.

So much for the essential relationship of brain to mind. It must be sufficiently evident to any one that the facts here presented, which are only a few of many recorded, conclusively demonstrate that there is no invariable parallelism between brain condition or form and mental phenomena, such as should and would exist if the mind were a mere product of the brain. And, in thus demonstrating the separability of mind from brain, we have also demonstrated the unity or individuality of mind; for we are all aware that our present mental activity is inseparable from our past experiences, however dead our feelings may be to remote events. Memory is thus seen to be not only the basis of mental growth, but the sign of an indissoluble power making for a purpose that knows no end.

Yet, in spite of all evidences to the contrary, we still hear of "memory cells," as if bodies of matter, which are constantly changing their own constituents, could retain an infinite number and variety of successive impressions without the one impression destroying the other. It is surely evident to all that no impression can become an image or idea until it has been interpreted, which is an operation that cannot be conceived as being a function of matter. And because all impressions have to be recognized or interpreted to be known, that is to say, perceived and related, it becomes quite intelligible how the same idea can be secured through very different organic channels, a fact which is well illustrated by the case of Miss Helen Keller, who has attained to a college education through the sense of touch alone.

It may farther be observed that impressions of the most common experiences are usually interpreted automatically, that is to say, more rapidly than a conscious process. But, whenever an organ of sense becomes disordered, then it is that an ordinary impression, or no impression at all from the outside, may give rise to some form of illusion or hallucination, as the case may be, through the production of a misleading suggestive influence upon the mind. It is the disease, or functional disorder, of the brain or its connections which has perverted the impression or produced a perversion. It is only to be expected that the various organized channels of the brain shall normally bear some correspondence of a "press the button" order in relation to the activities of the mind. But it appears that it is only a conditional or cultivated correspondence. It is merely the relationship of master to servant, the mind proving itself the rightful master by its demonstrated ability to substitute one servant for another and still retain its own integrity. Death is but an eclipse, while genius as differing from insanity and imbecility is merely a question of degree of energy and its efficient control.

J. Sanderson Christison.

CONTROL OF EMIGRATION IN EUROPE.

BY JAMES DAVENPORT WHELPLEY.

A DECREASE of about 50,000 as compared with the previous year is a feature of the immigration returns of the United States for 1904. This decrease can be attributed almost entirely to vigorous administration of the American laws and more determined effort on the part of foreign governments to keep their people at home. That this decrease is due more to legal restriction than to a natural lessening of the number of emigrants is also shown by the fact that during the same period the movement into England, a country with no restriction upon immigration, increased to a marked degree. The English immigration was largely from Russia, where there are legal restrictions upon emigration, it is true, but where these restrictions are notoriously evaded.

The decrease of immigration into the United States was most marked from Italy, Austria-Hungary and Russia, countries furnishing the largest objectionable element. There was an increase from Great Britain and Germany, where the percentage of desirable emigrants is high. The emigration from Italy, Austria-Hungary and Russia is carried by the English and German steamship lines, the officials of which exercise considerable vigilance in preventing the embarkation of passengers who are likely to be refused admission at American ports. Thus the American restriction law operates, not only at points where it is enforced, but also in foreign countries where the American government has no legal jurisdiction over the movement of population.

Emigration from European countries during the past year was larger than ever before recorded; and, had the United States and Canada placed no restraint upon the movement towards North America, over a million aliens would have undertaken the

journey, instead of less than nine hundred thousand. The deportation of objectionable persons who arrive at American seaports, and the exclusion of like individuals along the northern and southern borders of the country, even though those denied admission are numbered by the thousand, affect but a few compared to the vast total rejected for passage by the transportation companies and those who are deterred from beginning the journey through fear that they will be turned back at the point of embarkation for the sea voyage. At Naples alone, in a single year, 10,000 applicants for passage were refused by the steamship companies because of evident inability to meet the requirements of the American law. That immigration restriction laws do restrict, if enforced with the vigor and honesty which mark the American administration, does not admit of argument.

For many years, the American people have carried on their fight single-handed against the admission of objectionable aliens. The day is apparently drawing near when the cooperation of foreign governments will be secured in reducing the volume of emigrant movement. This assistance will not be given in any spirit of international good-will—in fact, quite the contrary, for foreign governments are only considering the matter because they are driven to it in self-defence.

Great Britain occupies the peculiar position of being the only European country suffering from the evils of both immigration and emigration. Both of these movements of population have assumed large proportions. The loss of desirable citizens is, beyond controversy, a serious evil, and during the past year there has been a notable exodus of agricultural and skilled labor from England, Wales, Scotland and Ireland. The governments of Continental Europe long ago took steps to discourage this class of emigration. Through the surveillance over the citizen which is given by a system of enforced military service and the requirement of passports from those leaving, it is possible to place some check upon the outflow. The British citizen, with his greater personal liberty, is free to go at will, there being no obligation to his government and no requirement but the price to hinder his leaving.

The effect of one system is that the adventurous, skilful and desirable British citizen takes his departure in hopes of bettering his condition, while the deficient or unfortunate citizen falls back

upon that wonderful institution, British charity, for his maintenance, for British steamship companies are too well aware of the penalties involved to wittingly undertake the transportation of the latter to America. The Continental system is more apt to result in the desirable citizen's being persuaded, either by force, argument or promise of betterment, to stay at home, while no obstacle is placed in the path of the pauper, the criminal or the deficient who can arrange for his passage to a foreign land.

It has as yet never been seriously suggested in Great Britain that there should be any restriction placed upon emigration, and while it is possible that, following the enactment of a law restricting immigration, there may be some agitation of the matter, it will probably be many years before Great Britain adopts a form of restriction law which is rapidly becoming a feature of legislation in every Continental country. One potent reason for this belief is that on the Continent the laws are based upon minute control of emigration business and traffic, to a degree which would be deeply resented by powerful British commercial and transportation interests.

The antagonism of these same interests is felt even in the effort to enact an immigration law, but the positive and ever-present evils of unrestricted immigration have been so borne in upon the wage-earners of Great Britain that no "interest" can long render futile the demand of the native population that some barrier be erected, not only against the insanitary alien, but against the competitive alien as well.

For years England has been a sort of clearing-house for undesirable emigration to the United States from many countries. Many emigrants rejected for passage at Continental ports found it easier to get to England than to return to their homes. The enormous alien and British emigrant traffic from British ports has resulted in the refuse being left upon British soil. The greater number of deportations from the United States are returned to England, even though they may have come originally from other foreign countries. The effect of this upon British population is almost indescribable. Charitable institutions, prisons and hospitals are crowded with aliens, and some of the trades are so burdened with this low grade of labor that the British workman is driven out.

The reactionary effect upon emigration to North America is

also thoroughly bad, for even if once defeated in his purpose the alien in England never quite gives up hope of being able to continue his journey, and in many cases, with a slight improvement in physical or financial condition, he is able to accomplish it. No law could be adopted by a foreign country which would be of more practical benefit to the United States than the immigration restriction act which the English people now have under consideration as a measure of self-defence.

With some slight exception, there is no restraint upon immigration into any Continental country. Passports are quite generally required of foreigners, though often not demanded unless the visit to the country be extended. Every arrival, however, is reported to the police within twenty-four hours, and data as to the name of the person, his or her age, nationality and profession are required. Russia requires a passport before foreigners are allowed to cross the border, but that country is now an exception to the general rule. To take up residence in Switzerland, permission must be secured from the communal authorities. France occupies a unique position in requiring that emigrants entering the country from the land side shall have at least forty dollars for each adult and sixteen dollars for each child, while those entering by a seaport are required to have at least thirty dollars for each adult and twelve dollars for each child. The French laws and regulations now in force are designed, not so much for the control of immigration and emigration, as for the control of the considerable and decidedly objectionable trans-France emigrant- traffic from the Levant *viâ* Marseilles and Havre, or some other French port.

The countries of the European Continent have given forth over 20,000,000 of their population to contribute to the building up of the American nation. In earlier years, the movement was from Germany, Scandinavia, Denmark, Holland and France, and a majority of the emigrants were of a class welcome in any part of the world, especially where thrift, industry and intelligence were needed to develop a new country. As opportunity for other than manual work grew less in the United States, as the arable free land disappeared, and, indeed, as the supply of adventurous, intelligent emigrants became exhausted in the countries of origin, the movement subsided, but only for a short time.

The people of other nations, such as Italy, Austria-Hungary

and Russia, discovering that it was easy to get to America, and learning that conditions were far more favorable there than at home, then began to move. The tide rose rapidly to tremendous volume, but the high quality of the earlier emigration was lacking. A distinctly lower and even dangerous tone characterized the more recent movement, and the American people, becoming alarmed for the safety of their institutions, legislated barriers through which immigrants were required to pass before being admitted. At first, little was done in Europe to put a stop to the tremendous loss of population which was threatened, except to demand that every citizen should perform his military service before leaving. Emigrant traffic had in the mean time become a most profitable business. Great fleets of vessels were operated by reason of it, and competition for passengers reached the point where it became absolutely necessary in the interests of humanity as well as public policy to put some restraint upon the energy and enterprise of the ticket-sellers and to check, if possible, the exodus of laborers. Police regulations were found entirely inadequate to cope with the situation.

In 1860, France adopted a law which required a license for the conduct of emigration business, and imposed some regulations upon shipping in the interest of the emigrant. In 1876, Belgium adopted a law containing the same provisions as the French measure, but more elaborate in detail. Emigration agencies were placed under government control and an elaborate scheme of regulation for emigrant shipping was devised. These regulations are now somewhat antiquated, and a revision is under consideration. Both the French and Belgian laws were evidently enacted for the purpose of securing, if possible, some of the profitable emigrant traffic which was then in progress through German ports, and it may be said that a certain degree of success rewarded the effort. The Belgian government now maintains a rather hostile attitude towards any foreign interference or even observation of her emigrant traffic. The Belgian emigration commissioners are exceedingly jealous of their powers, and have constituted themselves the sole judges as to the qualifications of those who shall be permitted to depart. The steamship companies operating between the important emigration port of Antwerp and the United States are forced to discriminate according to the requirements of the American law; but, owing to the attitude of

the Belgian government, they are deprived of such assistance as is rendered by representatives of the American government at a number of ports in other countries.

In 1888, Switzerland enacted a law which is still in force and which has served as a model for the lawmakers of other countries in framing similar legislation. Indiscriminate ticket-selling was stopped by providing for a limited number of agencies. Advertising was prohibited and the business of the agencies which were licensed and bonded was placed under the direct and detailed supervision and inspection of government officials. To urge a Swiss citizen to emigrate was made a crime under the law, and many similar provisions were rigorously enforced to the end that emigration should be free from any artificial stimulus. The Swiss law, unlike some others enacted since, is not entirely selfish; for, in the interest of the emigrant, an agent is forbidden to forward any person without a passport and identification paper or any person who cannot be admitted to the country of destination. This latter clause, while calculated to prevent loss and suffering to the Swiss emigrant, is also of great value to a country like the United States, for it guarantees the arrival at American ports of very few who need be regarded with suspicion.

The Swiss law was drawn with the purpose of making emigration difficult for Swiss citizens. It was also framed so as not to interfere with the large and profitable emigration movement across Switzerland from other countries, but in such a manner as to hold those who handled it responsible for every action detrimental to the Swiss people. Heavy bonds were exacted and severe fines and penalties were provided for all violations of the law or government regulations. There is one omission in the Swiss law which is most advantageous to the Swiss emigration agencies, but a source of considerable loss and trouble to Italy. No provision is made whereby the Swiss government can check a rate war between rival transportation companies. This is accomplished in Italy and Hungary by a clause in the emigration laws of those countries, which allows the government supervision over the rates at which passages from a native to a foreign port can be sold. It was undoubtedly not thought of as a possible measure of regulation of emigration when the Swiss law was enacted. The laws of Italy and Hungary are of subsequent enactment, but no move has been made by the Swiss government to take to itself

this important authority by further legislation. It will not be done, in all probability, for some time at least; for when steamship rate wars are in progress among the transatlantic lines, a case in point occurring during the past year, Italy maintains a fixed rate on vessels sailing from Italian ports, and the Swiss agencies are thus enabled to successfully compete with the Italian agencies, and divert much business to the northern route by offering lower-priced passages to Italian emigrants.

If all the countries of Europe should enter into an agreement to restrain emigration by requiring official approval of the price at which a ticket could be sold, as is now done individually by Italy, Hungary and Austria, the result would be most beneficial, not only to the countries now losing population, but to the countries attempting to raise the standard of admission. The effect of the recent rate war was unquestionably most deplorable in many of its aspects, not upon the transportation companies, but upon the people who were thus induced to emigrate and the countries called upon to exercise renewed vigilance in enforcing the laws against admitting those likely to become public charges.

Up to 1897, Germany controlled emigration more by police regulation than in any other way. The performance of military service was the test of the right of a German citizen to leave his country. Thousands of emigrants evaded the law, and thus voluntarily exiled themselves. It was not until the great mass of German emigration recorded of the past fifty years had crossed the border that the German government took cognizance of the possibility of holding this movement in check, and devised a measure dealing with the question in a more scientific manner. The German law of 1897 is looked upon as one of the simplest and most effective of its kind. It does not assume to give the government such detailed control of private transportation interests as do the laws of some other countries, and thus meets with heartier approval from English and American critics.

In brief, the law forbids the emigration of a German citizen who has not fulfilled the requirements of his military obligation, places the regulation of emigration agencies under special government officials appointed for that purpose, and affords every emigrant sailing from a German port full protection and safety through shipping regulations and fines and penalties for agents who fail to live up to contracts made for transportation. Even

the form of contract which shall be used in each case is especially designated. This law works to the benefit of foreigners sailing from German ports, as well as of German citizens.

The emigration of German citizens has decreased of late years, so much so that at the present time only between thirty and forty thousand are leaving the country annually. American statistics would indicate a larger movement than this, but many German-speaking residents of other European countries are accredited to the German Empire by reason of racial origin. There is an enormous trans-Germany emigration movement, however, and it is in the handling of several hundred thousand foreign emigrants that the administration has been most instructed. Germany is the great highway from Russia to the west, and until Austria-Hungary made special arrangements to develop the Mediterranean port of Fiume, by establishing a direct line of steamers to the United States, a large proportion of the emigration from the south also sailed from German ports. This great movement of people is conducted to the least possible detriment of German citizens and the highest possible profit of local transportation interests. There can be no loitering by the way, for Germany does not want these people, and her police take good care that they do not remain in German territory. There can be no indirect emigration, for the German lines to the United States are keen competitors of the English lines, and, if possible, every passenger for a transatlantic port is forced to take passage on a German ship. The American standard of admission is applied to all who seek to cross from Austria and Russia into Germany, and thus the American immigration law operates in remote parts of the world with a force almost equal to a local statute.

In 1901, the present Italian emigration law went into effect. Over two million citizens had left that country for the United States in the preceding twenty-five years, and some sections of southern Italy had become almost depopulated through this exodus. Bad economic conditions were responsible for the beginnings of this movement; but encouragement from those who had emigrated and the activity of ticket agents in persuading others to follow increased the departures from year to year, until something in the nature of a crisis was reached. For many years, money has been sent from the United States to Italy to assist emigration. Last year nearly twenty-five million dollars was re-

mitted by Italians in America, and most of this money was for the purpose stated. The Italian emigration law is drawn with the intent of meeting all of these conditions, so far as is possible. The law is lengthy and the rules and regulations for its enforcement are extraordinarily detailed. Some difficulty has been experienced in carrying them into practical effect; but the authorities are apparently well satisfied that everything possible is being done to check emigration, and to care for those who take passage abroad not only while on their way to their destination, but after their arrival in a foreign land.

The Italian law to all intents and purposes puts the business of emigrant transportation into the hands of the government, inasmuch as only a limited number of people can engage therein, and these few are heavily bonded against damage claims and fines and penalties for violation of the law. The business is under constant and minute inspection by government officials with almost unlimited power. No citizen can lawfully emigrate without the government's being fully aware of his intention and giving permission for him to go. Agents are not allowed to solicit business or to advertise. Emigrants can only go to countries where conditions meet with the approval of the Italian government. A case in point is Brazil, to which country went many Italian emigrants a few years ago. Conditions were unfavorable and great distress followed. Emigration to Brazil is now prohibited. Rates of passage to transatlantic countries must have the approval of the emigration officials. A special court is created to deal with damage suits, claims and other controversies arising between agents and passengers. Information is furnished to intending emigrants as to conditions in the countries of their destination. Foreign agencies are maintained to assist, protect and help in every way Italian citizens abroad, and special facilities are provided for the sending of money to the home country.

What is of greatest importance to the United States is the willingness of the Italian government to cooperate in every way to prevent violations of the American emigration law. American officials stationed in Italy are given almost official authority for the inspection of emigrants and emigrant-ships leaving Italian ports. The law is intended to be restrictive in effect, protective in character and certainly constitutes the most notable effort ever made by any country to check and control an exodus of its citi-

zens. It may be argued that, notwithstanding this law, the emigration from Italy is still greater than from any other country. This is true; but it is also true that no man can say how many thousand more people would leave each year but for this restraint. All conditions in Italy have tended to drive her people forth to better themselves; and, once the army was on the march, momentum was maintained and increased by the drawing power of those who had gone before as well as by the example set by these pioneers for those left behind. So long as economic conditions in southern Italy are bad, and prosperity is reported from the United States, just so long will the present movement continue. There can be no exhaustion of supply, for the population is increasing in spite of the loss by emigration.

Unfortunately, however, the character of the emigration is not improving—in fact, quite the contrary. The rising generation is of the towns and cities rather than of the country. The assisted emigrant is not so desirable as the emigrant who departs on his own initiative. The objectionable feature of the present movement is largely counteracted, however, by the increasing vigilance of the American authorities and the friendly cooperation of the Italian government in matters of administration.

In 1903, the government of Hungary, a country which is suffering almost equally with Italy a great loss of population through emigration, put into force a restrictive law which is up to the present time the most drastic of its kind. In addition to adopting practically all of the features of the Italian law, the Hungarian measure gives the government the power to name the routes by which emigrants shall leave the country, inasmuch as it serves notice that by any other route than that designated no government protection shall be given the traveller. This clause was adopted to force the development of the port of Fiume on the Mediterranean, and it has already resulted in a direct line of steamers to the United States from that port and a loss to the German ports of a great amount of business formerly derived from Austria-Hungary.

The Austrian parliament will shortly enact an emigration law similar to the one in force in Hungary. There is an interesting feature of the proposed Austrian law, however, which marks a new departure in government control of emigration. In all other European laws, an emigrant is defined as one who goes abroad

for long and continued residence. The Austrian measure defines that term as meaning any citizen who goes abroad to earn his living. This is evidently intended to give the government even closer control over the movement of population than is the case in other countries, to apply the law to laborers emigrating only for a season and to those crossing the land borders into neighboring European countries. There is a large emigration from Austria-Hungary to Roumania, and many thousands go and come from near-by sections of Europe, the movement depending upon the demand for laborers at home.

The Russian government maintains strict control of emigration traffic, and the provisions of the law requiring permission to leave are most severe. Emigration from Russia has been particularly heavy since the beginning of the war with Japan. The performance of military service is a *sine qua non* for obtaining a passport, but thousands of Russians have left without, crossing the border under the guidance of agents who make a business of smuggling emigrants out of the country. As soon as the border is crossed, the emigrants are taken up by the German railroad and transported to Hamburg or Bremen, from which points they go to the United States, Holland or England.

In the other northern European countries, Holland, Denmark and Scandinavia, emigration is carefully watched and controlled by government authorities, to the end that the laws of the respective countries shall be observed in the matter of departures, and the emigrants themselves fully protected in their dealings with transportation agents and ship-owners. In Spain and Portugal, the regulation of emigration is largely a police function, the enforcement of military service being almost the sole reason for any restraint upon the outward movement of population.

France, therefore, is really the only European country which at present makes a definite demand upon an immigrant in deciding as to his qualifications for admittance, and that demand is represented merely by a small sum of money, such as is deemed sufficient to carry the traveller across French territory or to guarantee his maintenance for a reasonable time while arrangements are being made to become self-supporting. England is the only European country in which immigration restriction has become an economic necessity and is, in consequence, a live political issue. On the other hand, notwithstanding the great loss to the

population annually through emigration, England is practically the only European country which does not now place considerable restraint upon citizens contemplating departure.

The entire tendency of European legislation in regard to immigration and emigration is now most favorable to the United States. The more careful England becomes as to who shall be admitted to English territory, and the greater the effort made by European countries to keep their people at home, the less the strain upon the American immigration barriers. The situation is most hopeful from an American point of view. Nearly every European country now compels an emigrant to secure a passport or some other form of identification paper before leaving; transportation interests are now quite generally restrained from inciting emigration; and, in many countries, such as England, Italy, Hungary and Russia, economic or political evils which have the effect of driving people from their homes are recognized and no inconsiderable effort is being made to remedy them. These influences are working to the good of all concerned.

Unfortunately, good laws do not always make good governments, and even honest and intelligent government is not always entirely effective. To restrain desirable citizens from leaving their native land is one thing, but to ignore or even expedite the departure of paupers, criminals and deficients is another. It is this last-named feature of the situation which prevents the United States from reaping full benefit from the restrictive legislation of Europe; it is because of this that never for a moment can vigilance relax in the administration of the American exclusion laws. The situation is grave and threatening; for, no matter how favorable to the United States may be the laws of Europe as applied to emigration, until each nation is compelled by sentiment from within or without to bear its own social burdens, they will be unloaded as freely as possible along the line of least resistance. An emigration tide unless thoroughly policed carries with it the germs of anarchy, crime, disease and degeneracy. Tremendous progress in the direction of better control has been made throughout the world in the past twenty-five years. Bearing this record of actual facts in mind, uniformity of law and administration, and greater regard among nations for one another's safety, do not appear to be impossibilities in the future.

JAMES DAVENPORT WHELPLEY.

AN APOLOGY FOR TECHNIC.

BY BRANDER MATTHEWS, PROFESSOR OF DRAMATIC LITERATURE IN COLUMBIA UNIVERSITY.

If the chief end of all art is delight, there is small blame to be attached to most of us in that we are glad to take our pleasure carelessly and to give little thought to the means whereby we have been moved. Properly enough, the enjoyment of most of us is unthinking; and in the appreciation of the masterpieces of the several arts few of us are wont to consider curiously the craftsmanship of the men who wrought these marvels, their skill of hand, their familiarity with the mechanics of their art, their consummate knowledge of technic. Our regard is centred rather on the larger aspects of the masterwork, on its meaning and on its veracity, on its intellectual elevation and on its moral appeal. No doubt this is best, for it is only by its possession of these nobler qualities that a work of art endures. On the other hand, these nobler qualities by themselves will not suffice to confer immortality, unless they are sustained by the devices of the adroit craftsman. As Massinger asserted long ago:

> "No fair colors
> Can fortify a building faintly joined."

Technic is most successful when its existence is least suspected, and this is one reason why it is often overlooked and neglected in the very achievements which owe to its aid their vitality. Perhaps this happens the more frequently because it is the affectation of many an artist to hurry his tools out of sight as swiftly as he can, and to sweep up the chips of his workshop as soon as may be, so that the result of his effort shall seem almost as though it were the sudden effect of the inspiration that is believed to visit a genius now and again. He may have toiled at it un-

ceasingly for months, joying in the labor and finding keen pleasure in every workmanlike artifice he had used to attain his end; and yet he refrains from confessing his many struggles with his rebellious material, wisely preferring to let what he has done speak for itself, simply and without commentary. But the artists know that the pathway to achievement is never along the line of least resistance; and they smile when they hear Mascarille, in Molière's little comedy, tell the affected young ladies whom he is seeking to impress that all he did "was done without effort." By this the artists at once perceive the fellow to be a pretender, who had never accomplished anything and who never would. They know, as no others can know, that there is no cable-road to the tops of the twin-peaks of Parnassus, and that he who would climb to these remote heights must trudge afoot,—even if he is lucky enough now and again to get a lift on Pegasus.

What the artists do not care to parade, it is the duty of the commentators to point out; and an understanding of the technic of any art, of its possibilities and of its limitations, is as necessary for the critics as for the creators. Perhaps it is not pedantic to suggest that the critic who seeks to be of service ought to be able to see in every masterpiece the result of the combined action of three forces, without any one of which that work of art could not have come into being. First, there is the temperament of the artist himself, his native endowment for the practice of that special art, his gift of story-telling or of play-making, as the case may be. Second, there is the training of the artist, his preparation for his work, his slowly acquired mastery of the processes of his craft, his technical accomplishments. And, thirdly, there is the man's own character, his intelligence, and energy and determination, his moral sense, his attitude toward life and its insistent problems. Now, of these three necessary factors—first, his native gift; second, his technic; and, third, his character—only the second is improvable by taking thought. The native gift must remain ever what it is, neither more nor less; and it cannot be enlarged by any effort of will. So also the character, which is conditioned by much that is beyond a man's control; which can be bettered, perhaps, but only as the man himself climbs upward.

Technic, however, can be had for the asking. Any man can acquire it if he will but pay the price,—the needful study and experiment. Any man can make himself a master of his craft,

if he will but serve his apprenticeship loyally. The beginner in painting, for example, can go into the studio of an older practitioner to get grounded in the grammar of his art, and to learn slowly how to speak its language, not eloquently at first, but so as to make his meaning clear. In that workshop he soon awakens to the fact that permanent success is never won by any audacity of ignorance, and that the most famous artists are those who acquainted themselves with every artifice of their craft and with every trick of the trade. They went to school to certain of their elders to acquire that tradition of technic, passed along from hand to hand, enriched by the devices of one after another of the strong men who had practised the art, following each in the other's footsteps and broadening the trail blazed by those who went first.

Every generation is privileged to stand on the shoulders of its predecessors, and it is taller by what they accomplished. The art of fiction, for example, is a finer art to-day than it was yesterday; and so is every other art, even though the artists themselves are no greater now than then, and even though genius is no more frequent than it was formerly. Ghirlandajo and Marlowe and Cervantes were men of genius; but their technic is seen to-day to be as primitive as their native talent is indisputable. We can perceive them doubtfully feeling for a formula, fumbling in the dark, for want of the model which they themselves were to aid in establishing and which every novice nowadays has ready to his hand, even though he lack the temperament to profit by what is set before him.

It is significant that not a few of the masters, in the days when they were but novices, found so much satisfaction in this mere acquiring of the secrets of the craft, that they chose to linger in the apprentice stage longer than might seem necessary. In their earlier work they were content modestly to put in practice the technical principles they had just been acquiring; and for a little while they sought scarcely more than mere technical adroitness. Consider the firstlings of Shakespeare's art and of Molière's; and observe how they reveal these prentice playwrights at work, each seeking to display his cleverness and each satisfied when he had done this. In "Love's Labor's Lost," Shakespeare is trying to amuse by inventive wit and youthful gayety and ingenuity of device, just as Molière in the "*Etourdi*" is enjoying his own complicating of comic imbroglios, not yet having any-

thing of importance to say on the stage, but practising against the time when he should want to say something. Neither in the English comedy nor in the French is there any purpose other than the desire to please by the devices of the theatre.

There is so little hint of a deeper meaning in either "Love's Labor's Lost" or the "*Etourdi*," of a moral, so to speak, of a message of ulterior significance, that, if Shakespeare and Molière had died after these plays were produced, nobody would ever have suspected that either youthful playwright had it in him to develop into a philosophic observer of the deeper realities of life. Of course, neither of them was long satisfied with this dexterous display of technical adroitness alone; and, as they grew in years, we find their plays getting richer in meaning and dealing more seriously with the larger problems of existence. But technic was never despised; and, if it was not long the chief end of the playwright, it remained the means whereby he was enabled to erect the solid framework of masterpieces like "Othello" and "Tartuffe," in which the craftsmanship is overshadowed by the nobler qualities, no doubt, but in which the stark technical skill is really more abundant than in the earlier and emptier plays.

As Shakespeare and Molière matured mentally and morally, so also did they grow in facility of accomplishment, in the ease with which they could handle the ever-present problems of exposition and construction. The student of dramaturgy notes with intensifying delight the ingenuity with which the first appearance of Tartuffe is prepared; and he finds an almost equal joy in the bolder beginnings of "Romeo and Juliet" and of "Hamlet," where the difficulty was less, it may be, but where the interest of the craftsman in the excellence of his device is quite as obvious. Shakespeare was the greatest of dramatic poets and Molière was the greatest of comic dramatists; and both of them were good workmen, taking an honest pride in the neatness with which they finished a job. In his later years, Shakespeare seems to have a little relaxed his interest in technic, and the value of his work is at once seen to suffer. Although his mind is as powerful as ever up to the last years of his stay in London, "Cymbeline" and "A Winter's Tale" are far inferior to "Hamlet" and to "Macbeth"; and the cause is apparently nothing more than a carelessness of technic, an unwillingness to take as much trouble to master his material and to present it in due proportion.

If Shakespeare and Molière ever meet in that other world which was so much in the mind of the one and so little in the thought of the other, and if they chance to fall into chat—Shakespeare spoke French, pretty certainly, even if Molière knew no English—we may rest assured that they will not surprise each other by idle questions about the meaning of this play or that, its moral purpose or its symbolic significance. We may be confident that their talk would turn promptly to technic; and, perhaps, Shakespeare would congratulate Molière on his advantage in coming later, when the half-open, semi-mediæval playhouse, with which the English dramatist had perforce to be contented, had been superseded by a more modern theatre, roofed and lighted and set with scenery. And, in his turn, Molière might be curious to inquire how the English playwright was able to produce upon the spectators the effect of a change of scene when, in fact, there was no actual scenery to change.

To suggest that these two masters of the dramatic art would probably confine their conversation to matters of mere technic is not so vain or adventurous as it may seem, since technic is the one theme the dramatists from Lope de Vega to Legouvé have always chosen to discuss, whenever they have been emboldened to talk about their art in public. Lope's "New Art of Writing Plays" is in verse, and it has taken for its remote model Horace's "Art of Poetry," but none the less does it contain the practical counsels of a practical playwright, advising his fellow craftsmen how best to succeed on the stage; and it is just as technical in its precepts as Mr. Pinero's recent lecture on the probable success of Robert Louis Stevenson as a dramatist, if only the Scots romancer had taken the trouble to learn the rules of the game, as it is played in the theatre of to-day.

In thus centring the interest of their public utterance upon the necessities of craftsmanship, the dramatists are in accord with the customs of the practitioner of all the other arts. Consider the criticism of poetry by the poets themselves, for example, —how narrowly it is limited to questions of vocabulary or of versification, whether the poet-critic is Wordsworth or Poe. Consider the criticism of painting by the painters themselves,—how frankly it is concerned with the processes of the art, whether the painter-critic is Fromentin or La Farge. It is La Farge who records that Rembrandt was a "workman following his trade of painting to

live by it," and who reminds us that "these very great artists"—Rembrandt and his fellows—"are primarily workmen, without any pose or assumption of doing more than a daily task." What they did was all in the day's work. One of the most distinguished of American sculptors was once standing before a photograph of the Pan-Athenaic frieze, and a critical friend by his side expressed a wonder as to "what those old Greeks were thinking of when they did work like that"? The professional artist smiled and responded: "I guess that, like the rest of us, they were thinking how they could pull it off!"

The method, the tricks of the trade, the ingenious devices of one kind or another, these are what artists of all sorts like to discuss with fellow practitioners of the art; and it is by this interchange of experiences that the means of expression are multiplied. The inner meaning of what they have wrought, its message, its morality, its subtler spirit, the artists do not care ever to talk over, even with each other. This is intangible and incommunicable; and it is too personal, too intimate, to be vulgarized in words; it is to be felt rather than phrased. Above all, it must speak for itself, for it is there because it had to be there, and not because the artist put it there deliberately. If he has not builded better than he knew, then is the result of his labor limited and narrow. A story is told of Thorwaldsen in his old age, when a friend found him disconsolate before a finished statue and inquired if he was despondent because he had not been able to realize his ideal. And the sculptor responded that, on the contrary, he had realized his ideal, and therefore he was downcast; for the first time his hand had been able to accomplish all that his mind had planned.

"Neither in life, nor even in literature and in art, can we always do what we intend to do," M. Brunetière has declared, adding that, "in compensation, we have not always intended to do all that we have actually accomplished." Often no one is more astonished than the artist himself—be he poet or painter—at what the critics sometimes find in his work; and he is frankly unaware of any intention on his part to do all the fine things which he is told that he has done. But the critics may be justified, despite the disclaimer of the artist; and the fine things are, of a truth, to be discovered even though they get into the work by accident, as it were, and even though they may be the result of an inten-

tion which was either unconscious on the artist's part, or subconscious.

We cannot help feeling the sublimity so evident in the frescos of the Sistine Chapel; and yet it is equally evident—if we care to look for the evidence—that while he was on this work the mind of Michelangelo was absorbed by the conquest of a host of technical difficulties. Of course, it would be going too far to assert that the great artist did not actually intend the sublimity that we admire and wonder at; but we may be sure that this sublimity is not something deliberately planned and achieved by him. It is there because the theme evoked it, and because Michelangelo was himself a man of the noblest character and of the loftiest imagination. That was inherent and latent in him and had to come out, inevitably and mightily, when he was engaged on a work that tasked all his powers.

An ideal, a significance, a moral, that has to be inserted into a work of art and that might have been omitted, is not likely to be firmly joined; and it is liable to fall apart sooner or later. Morality, for example, is not something to be put in or left out, at the caprice of the creator; it is, as Mr. Henry James once called it, "a part of the essential richness of inspiration." Therefore the artist need not give weight to it. If his own soul is as clean as may be, and if his vision is clear, the moral of his work may be left to take care of itself. Nearly always when an artist has been over-anxious to charge his work with a moral message, writ so plain that all who run may read, he has failed to attain either of his ends, the ethical or the æsthetic. There is a purpose plainly expressed in Miss Edgeworth's "Moral Tales" and in her "Parent's Assistant"; and the result is that healthy girls and wholesome boys are revolted. There was no moral intent in her ever-delightful "Castle Rackrent"; and yet it has an ethical significance which few of its readers can have failed to feel.

Perhaps "Castle Rackrent" is the finest of Miss Edgeworth's stories, because it is the only one in which she had set herself a technical problem of exceeding difficulty. She chose to use the faithful old retainer to tell the tale of the family's downfall in consequence of its weakness, its violence, and its vice. Thady has never a word of blame for any son of the house he has served generation after generation. Indeed, he is forever praising his succession of masters; but so artfully does the author utilize the

device of transparency that the reader is put in possession of the damning facts, one by one, and is soon able to see the truth of the matter which Thady himself has no thought of revealing,—which, in fact, he would probably deny indignantly if it was suggested by any one else.

The chief reason why the novel is still held to be inferior to the drama is to be found in its looseness of form. The novel is not strictly limited, as the play must be by the practical necessities of the theatre; and the practitioners of the art of fiction permit themselves a license of structure which cannot be but enfeebling to the artists themselves. Few of the novelists have ever gone about a whole winter with a knot in their foreheads, such as Hawthorne carried there while he was thinking out his "Scarlet Letter." And only by strenuous grappling with his obstacles was he able to attain the masterly simplicity of that Puritan tragedy. A resolute wrestling with difficulty is good not only for the muscles but also for the soul; and it may be because they know this that artists are inclined to go afield in search of difficulties to be overthrown, that they set themselves problems, that they accept limitations. Herein we may see a cause for the long popularity of the sonnet, with its restricted scheme of rhymes. Herein, again, we may see a reason for the desire of the novelist to try his fate as a dramatist. "To work successfully beneath a few grave, rigid laws," so Mr. James once asserted, "is always a strong man's highest ideal of success." The novelist fails as a dramatist, often because he has the gift of the story-teller only, and not that of the play-maker, but more often still because the writing of fiction has provided him with no experience in working beneath any law other than his own caprice.

The modern sculptor, by the mere fact that he may now order marble of any shape and of any size, finds his work far easier and, therefore, far less invigorating than it was long ago, when the artist needed to have an alerter imagination to perceive in a given piece of marble the beautiful figure he had to cut out of that particular block and no other. Professor Mahaffy has suggested that the decay of genius may be traced to the enfeebling facilities of our complex civilization. "In art," he maintained, "it is often the conventional shackles,—the necessities of rhyme and metre, the triangle of a gable, the circular top of a barrel—which has led the poet, the sculptor, or the painter to

strike out the most original and perfect products of their art. Obstacles, if they are extrinsic and not intrinsic, only help to feed the flame." Professor Butcher has declared that genius "wins its most signal triumphs from the very limitations within which it works." And this is what Gautier meant when he declared that the greater the difficulty the more beautiful the work; or, as Mr. Austin Dobson has paraphrased it:

> "Yes; when the ways oppose—
> When the hard means rebel,
> Fairer the work out-grows,—
> More potent far the spell."

Not only has many an addition to the accepted devices of the craft been the guerdon of a victorious grapple with a difficulty, but the successful effort to solve a purely technical problem has often led to an ennobling enlargement of the original suggestion, —with which the artist might have rested content if he had not been forced to the struggle. From the history of sculpture and of architecture here in the United States during the last years of the nineteenth century, it is easy to select two instances of this enrichment of the fundamental idea, as the direct consequence of an unexpected obstacle which the artist refused to consider a stumbling-block, preferring to make it a stepping-stone to a loftier achievement.

When the city of New York was making ready to welcome the men of the navy on their return from Manila and Santiago, the Architectural League offered to design a triumphal arch. The site assigned, in front of Madison Square, just where Broadway slants across Fifth Avenue, forced the architect to face a difficulty seemingly unsurmountable. The line of march was to be along Fifth Avenue, and, therefore, the stately monument was set astride that street. But the line of approach, for most of the multitude certain to come to gaze on the temporary addition to civic beauty, was along Broadway; and the arch built squarely across the avenue would seem askew to all who first caught sight of it from the other street. To avoid this unfortunate effect the designer devised a colonnade, extending north and south, up and down the avenue. Thus he corrected the apparent slant by emphasizing the fact that it was the avenue in which the arch was placed and not the more popular highway that chanced to

cut across it. But this colonnade, invented solely to solve a difficulty, lent itself readily to rich adornment. It became at once an integral element of the architectural scheme, to which it gave breadth as well as variety. It was accepted instantly as a welcome modification of the tradition,—as an amplification not to be wantonly disregarded by any architect hereafter called upon to design a triumphal arch.

To this illustration from architecture may be added another from sculpture, as suggestive and as useful in showing how a conquest of technical difficulty is likely ever to increase the resources of the art. The sculptor of the statue of Lincoln, which ennobles a park of Chicago, was instructed that the work of his hands was to stand upon a knoll, visible from all sides, stark against the sky, unprotected by any background of entablature or canopy. The gaunt figure of Lincoln is not a thing of beauty to be gazed at from all the points of the compass; and the stern veracity of the artist would not permit him to disguise the ill-fitting coat and trousers by any arbitrary draperies, mendaciously cloaking the clothes which were intensely characteristic of the man to be modelled. To shield the awkwardness of the effigy when seen from the rear, a chair was placed behind it; and so the sculptor was led to present Lincoln as the Chief Magistrate of the Republic, arisen from the chair of state, to address the people from whom he had received his authority. And thus, at that late day, at the end of the nineteenth century, Mr. Saint-Gaudens did a new thing; although there had been standing statues and seated statues, no sculptor had ever before designed a figure just rising from his seat.

It is by victories like these over technical difficulties that the arts advance; and it is in combats like these that the true artist finds his pleasure. The delight of battle is his, as he returns to the attack, again and again, until at last he wins the day and comes home laden with the spoil. The true artist hungers after technic for its own sake, well knowing the nourishment it affords. He even needlessly puts on fetters now and again, that he may find sharper zest in his effort. This ravenous appetite for technic leads many an artist to go outside his own art in search of unforeseen but fascinating difficulties. The painter is tempted to stretch his muscles by a tussle with the unknown obstacles of the sculptor; and the sculptor in his turn contends with the limita-

tions of the painter. Michelangelo called himself a sculptor and pretended to be no more; but in time he took up the trade of the architect, of the painter and of the poet. And this interchange of field in search of new worlds to conquer seems to be characteristic of the great periods of artistic activity and achievement. In all such periods, the more accomplished craftsmen have never wearied of technical experiment to the constant enrichment of the processes of their art.

It is the uncreative critics, it is never the creative craftsmen, who dwell on the danger of taking too much interest in technic. The critics may think that the more attention the artist pays to his manner, the less he has for his matter, and that he is in peril of sacrificing content to form. But the craftsmen themselves know better; they know that no one may surely separate manner and matter, form and content, Siamese twins often, coming into being at a single birth. Furthermore, the artist knows that technic is the one quality he can control, every man for himself, every man improving himself as best he can. His native gift, his temperament,—this is what it is; and what it is it must be; and no man can better it by taking thought. His character, also, the personality of the artist, that which gives a large meaning to his work,—how little can any man control this result of heredity and environment?

If an artist has anything to say it will out, sooner or later, however absorbed he may be in finding the best way of saying it. If he has nothing to say, if he has no message for the heart of man, he may at least give some pleasure to his contemporaries by the sheer dexterity of his craftsmanship. There would have been no more meaning in Poe's verse, if there had been less melody, if the poet had less devotedly studied the "book of iambs and pentameters." There would have been no larger significance in the painted epigrams of M. Gérôme, if that master of line had cared less for draughtsmanship. There would have been no more solid value in the often amusing plays of M. Sardou, if he had not delighted in the dexterity of his dramaturgical devices. At bottom, M. Sardou, M. Gérôme, and Poe had little or nothing to say; that is their misfortune, no doubt; but it is not their fault, for, apparently, each one of them made the best of his native gift.

In his time Milton was the most careful and conscientious of artists in verse-making, and so, in his turn, was Pope, whose

ideals were different, but whose skill was no less in its kind. So, again, was Tennyson untiring in seeking to attain ultimate perfection of phrase, consciously employing every artifice of alliteration, assonance and rhyme. But, if Milton's verse seems to us now noble and lofty, while Pope's appears to us as rather petty and merely clever, surely this is because Milton himself was noble and his native endowment lofty, and because Pope himself was petty and his gift only cleverness; surely it is not because they were both of them as much interested in the mechanics of their art as was Tennyson after them.

One of the wittiest critics of our modern civilization, the late Clarence King, remarked, some ten years ago, that the trouble with American fiction just then lay in the fact that it had the most elaborate machinery,—and no boiler. But the fault of our fiction then was to be sought in the absence of steam,—and the machinery stood ready to do its work, to the best advantage and with the utmost economy of effect, just so soon as the power might be applied.

BRANDER MATTHEWS.

A WHITE SOUTH AFRICA.

BY LIEUTENANT-COLONEL F. G. STONE, R. G. A., FORMERLY DISTRICT COMMISSIONER AND RESIDENT MAGISTRATE IN THE STANDERTON DISTRICT, TRANSVAAL.

THE Transvaal has taken a leading part in the agitation for a so-called "White South Africa"; or, to put it in other words, to prevent the importation of any colored race into South Africa, but more especially into the Transvaal. There is a league with numerous branches called the "White League," which has existed ever since peace was restored to the country, and was called into existence for the ostensible purpose of preventing the importation of any person of color into the Transvaal; this League held meetings, the members made speeches which were fully reported in the newspapers, and they laid claim to the exercise of a certain amount of political influence: but irrespective of the White League, and more influential though less talkative, was the whole body of white storekeepers—I may explain that the term "storekeeper" includes any one who keeps the smallest general store in an up-country township. These storekeepers are in deadly earnest in the matter, they are fighting for their bread and butter; the political side of the question does not concern them, the labor question concerns them only indirectly, but what does concern them is to prevent any colored Oriental from setting up a rival store and underselling them. For them no Imperial sentiment exists, which would lead them to discriminate between an Indian fellow subject and a Chinaman. These are equally dangerous rivals, and as such they must not be admitted.

It is necessary to realize what the actual conditions are. The Transvaal is a country where the indigenous or native black man, commonly called a Kafir, is in an enormous numerical superiority. The said Kafir varies considerably in different parts of South

Africa; the Basutos, for example, are about the best type of native, but—there are others! The average Kafir, on whom one has to depend in the Transvaal for labor, is a highly odorous and dirty savage, with less intelligence than it is possible to conceive, and whose only ambition in life is to make enough money with as little exertion as possible, to buy one or more wives to work for him for the rest of his useless life. The lowest kind of Kafir, morally, is probably the Mashona, but he does not emigrate from his own country; the vices practised by Mashonas of both sexes and all ages are quite indescribable, and the men are physically not formidable.

Kafir labor on the farms, and for domestic purposes, is quite as unattainable as it is for the mines and public works; in fact, dependence on Kafir labor makes domestic life a daily tragedy, farming and market-gardening almost impracticable, and large enterprises, such as railways, irrigation works, etc., a delusive dream. The domestic side of the question may not at first sight appear to be of vital importance, but if South Africa is ever to become in reality a white man's country, the conditions of domestic life must in the first instance be such that a man can marry and rear a family in decency and comfort. At present, there are two obstacles to the realization of this first condition; they are (*a*) the excessively high cost of living, which is due to the absence of reasonably cheap and efficient labor in every branch of industry, and (*b*) the impossibility of obtaining servants for domestic work. Let me give a typical instance. A friend of mine came over with one of the Australian contingents. He had eight or nine years' experience of farming in Australia, and had thoroughly mastered the subject. At the conclusion of the war, he bought a farm within easy distance of one of the principal towns in the Transvaal, on the main line of rail. I frequently visited him, and saw for myself the difficulties with which he had to contend. I have never seen a man work harder, or face difficulties with greater pluck. Frequently he was obliged to work in the fields like a laborer to save a crop, because he could get no Kafirs; and, after a day's hard work on the land, he would come home (save the mark!) to cook his own food, and turn out again at eleven at night to feed the cows. This state of affairs was not due to inability to pay wages, though they were so absurdly high; it was simply due to the fact that the Kafir had no need to work,

and therefore would not work. Now, here was one of the best type of settlers for a new colony, hard working, well educated, complete master of his business, in possession of the necessary capital to farm on the most approved principles and to tide over a few bad years without serious inconvenience. And yet—how could a man in such a position ask any woman to marry him, or contemplate rearing a family in such surroundings? I have seen a well-to-do merchant in an up-country town, with a large family of children of all ages, left absolutely without a single servant in the house, and compelled to sell his horses because he could get no one to look after them. He was a liberal paymaster, too. It must be thoroughly understood that, in a country which is principally populated by Kafirs, it is quite out of the question to expect any white man or woman to do laborer's work or serve in any menial capacity; the upper servants in a high-class establishment may be white, but the menial work is done by Kafirs.

The importation of Chinese for the mines really bears only indirectly on the question, inasmuch as this is indentured labor for a specific purpose, and the Chinaman is, under no circumstances, to be allowed to settle in the country, but must be sent back to his native land on the termination of his contract. The Chinaman bears on the situation to this extent, that the fact of his being employed on the mines has assured the maintenance, and we may hope the extension, of that industry, and consequently the employment of a large number of white men of every grade above that of laborer; and also, if the time ever should arrive when the supply of labor for the mines is more than equal to the demand, and the Chinaman is still imported on account of his superiority to the Kafir, then, and only then, will there be a supply of labor set free for railway and public works, farm laborers, and possibly domestic servants.

We have congratulated ourselves that, in South Africa, we have a country where English men, women, and children can thrive; that, on this account, it is of great value to us for future expansion; but we can never colonize a country in which home life is an impossibility for the majority. The Southern States in America would probably never have been colonized as they were unless there had been plenty of negro labor both in the plantations and for domestic service; Natal would never have been the prosperous country it now is, unless Indian labor had been im-

ported; Cape Colony became a settled country with the aid of slaves, and is now carrying on under considerable difficulty with the inefficient and insufficient substitute of Kafir labor, raised to the economic level of possessing a vote for Members of Parliament.

A white man's country consists of an aggregation of white men's homes. It is not a matter of first-rate importance whether the farmer, the government official, the professional man, and the artisan buy their stores from an Indian or from a Scotsman; but it is certainly a vital necessity that they should be able to live in decency and comfort in proportion to their ability and their energy, that they should be able to marry and rear families, and that when their day's work is done they should be able to enjoy the comforts of a home, instead of facing the sordid discomfort of a house with no domestic service, and a wife worn out with the hopeless struggle of body and mind engendered by the never-ceasing difficulty of the servant question.

It has been well said, in connection with the opposition which was raised to the importation of Chinese, that it was their virtues and not their vices which rendered the Chinaman a terror to a certain section of the community; and so it is with regard to the importation or immigration of our Indian fellow subjects,—it is their trading ability, their industry, sobriety, and economy, their superiority in many instances in the general administration of their business, in regard to the housing of their employees and the sanitation of their dwellings, that causes the white storekeeper to look askance at them.

And who are these white storekeepers, and other white men, who are to dictate the terms on which the Transvaal and the Orange River Colony shall be occupied by men and women of British birth? They are representatives of nearly every European nationality, from the average middle-class Briton down to the lowest type of Syrian Jew! In fact, all the human waste of Europe may compete with the British storekeeper; but, as their ability is not so conspicuous, there is no legislation against them any more than there is in England, where they are actually driving our poorer classes to the wall. But the Indian! He is a competitor to be feared, and therefore he is opprobriously termed a "coolie." No matter what his caste or social status, he is not allowed to enter the "white man's" country, and if he is already

there, he is relegated for trading and residence to a "location" set apart for him, where he cannot injure the trade of the white man.

Notwithstanding all this, the white man who owns property has not been averse to evicting a tenant of British nationality, in order to lease his premises at a higher rental to an Indian; but, as soon as this procedure is rendered impossible by legislation, he joins in the cry to keep the Indian out of the country.

What, then, is the outcome of all this cry for a "White South Africa"? It appears to result in the maintenance of a South Africa under a system of rigid protection in favor of the store-keepers and Kafirs; in truth, a black man's country, if ever there was one. And such a black man!

To those who know our Indian Empire, the Indian, with his ancient civilization, his superior brains and breeding, his qualities as a laborer, a servant, a tradesman, and a citizen, there can be no comparison either with the scum of Eastern Europe, or with the Kafir; and it must ever be a source of regret that the outcry of prejudiced and interested parties should have been able to bring about legislation which prevents the immigration of many useful classes of our Indian fellow subjects, who would materially assist us in the evolution of a "White Man's South Africa"; and reduces the social status of those already in the country to the level of the Kafir.

F. G. Stone.

THE SAN DOMINGO QUESTION.

BY FRANCIS G. NEWLANDS, UNITED STATES SENATOR FROM NEVADA.

WHEN the President sent the Dominican treaty to the Senate for ratification, it was announced in the press that I could be relied upon as one of the few Democrats who would vote for its ratification, because of sympathy of view with the President as to our Pan-American policy.

The treaty itself was regarded as the practical exposition of the President's policy, first declared in a letter to the Cuban dinner as follows:

"Any country whose people conduct themselves well can count upon our hearty friendliness. If a nation shows that it knows how to act with decency in industrial and political matters; if it keeps order and pays its obligations, then it need fear no interference from the United States. Brutal wrong-doing, or impotence, which results in the general loosening of the ties of civilized society may finally require intervention by some civilized nation, and in the Western Hemisphere the United States cannot ignore its duty."

I must say that, when this utterance was first published, it aroused my sympathetic interest. I recalled that in the Cuban debate of April 4th, 1896, while I was a member of the Committee on Foreign Affairs, I had expressed myself somewhat similarly in the House of Representatives, as follows:

"I take it that a great and powerful nation like the United States, the greatest and most powerful in this part of the world, has a certain duty to perform to other nations, just as every individual in our social organization has a duty to perform to other individuals. And this duty is the higher and stronger in proportion to the power and strength of the individual or nation. . . . I think this nation has some duty to perform, besides its duty to its own people. I think we have a duty to perform to all the republics of this continent, that now, with the exception of Mexico, cast disgrace upon the very name of republicanism. . . . It should be exercised through the Pan-American Congress, through

treaty relations for mutual cooperation and support, by all the moral influence which a great nation can exercise in its communion with weaker powers, and, if necessary, when civil war, anarchy and mutual destruction blot the fair name of republic, and substitute military despotism, by an armed intervention commanding order and good government."

Had it not been for the experience intervening between the Cuban War and the San Domingo treaty, I would have been prompt to give my support to the latter; but, with that experience before me, I felt it necessary to proceed with caution and deliberation, as the treaty involved a new national policy. Our experiences in Cuba, the Philippines and Panama had convinced me that, however beneficent our purpose might be in the beginning, we were likely to be drifted, either by circumstance, self-interest or desire for military glory, into a policy which we would have repudiated at the start. In addition to this, the well-defined purpose of the President to secure a free hand in international affairs, by eliminating as far as possible the Senate as a factor in their determination, has led me to fear that, if we once entered on a policy of active intervention, we might become involved in such international perplexities as to drift us away from the domestic problems that concern us.

In the Cuban War, our purpose was not aggression, but pacification; and yet we drifted from the task of freeing Cuba to that of subjecting the Philippines to our dominion by force of arms. It matters not whether this was due to destiny, uncontrollable circumstances, commercialism or love of conquest. The fact remains that, though at the commencement of the Cuban War McKinley voiced the sentiment of the American people when he declared that forcible annexation was criminal aggression, we drifted into both.

So also, in Panama, years ago, we secured a right of way by treaty with New Granada, now Colombia, under which we recognized Colombia's right and sovereignty, and agreed to protect her title against the world. Later on, when Colombia disagreed with us as to the terms for a larger right of way—a ship-canal—including control over the Canal Zone, we refused to permit her to bargain as to the amount of compensation, and, availing ourselves of the fiction of a Panama uprising, we wrested the control of Panama from Colombia in the twinkling of an eye, and

secured for ourselves sovereignty over the Canal Zone. The right of way represented by a railroad track eight feet wide was, by Executive decree, made many miles wide. Colombia, forbidden by our navy to land her troops on her own soil for the suppression of domestic disorder, was raped of her territory; and a contractual possession, held by us under Colombia's sovereignty, was forcibly enlarged into an absolute dominion and sovereignty, the suggestion of which would have been indignantly repudiated when our possession was acquired.

These experiences might well make the most ardent advocate of the moral duty of the United States hesitate regarding the innocent possession of the Dominican custom-houses, as a means of enabling San Domingo to settle with her creditors.

The views of the President regarding the Senate as a factor in the treaty-making power might well deter us from the acceptance of his policy. The purpose of the fathers was to keep our country out of foreign complications and consequent wars; and so they placed the war power in Congress, made the Senate a participator in the treaty-making power, and required the assent, not of a mere majority, but of two-thirds of the Senate. With a President and a Secretary of State both of whom are eager to make the United States a dominant factor in the world's affairs, it is easy to understand how both would chafe under the restraint of a deliberative body like the Senate. The result was a deliberate effort to escape or minimize this restraint. Under the general arbitration treaty it was sought, by the use of the term "agreement," to induce the Senate to contract away its treaty-making power and duty as to all future international arrangements within the scope of that treaty; and by the use of the term "protocol" in the place of "treaty," our State Department, without the consent of the Senate, executed and entered into the operation of an arbitral arrangement under which our Government took possession of San Domingo custom-houses, as security for the claim of the San Domingo Improvement Company. If it was necessary to submit to the Senate the pending treaty, which was also called a "protocol," it was also necessary to submit to the Senate the arbitral protocol; for, under both, the United States is to enter into a qualified possession of foreign territory which it may at any time require the use of force to maintain.

During the past eight years of continuous international ac-

tion, we have found the nation drifting into aggression, in strong contrast with the traditions of the Republic and the peaceful intentions of our people at the commencement of this new era. During these eight years, we have almost neglected domestic legislation. Whilst we have been engaged in conquering other countries, monopoly has conquered our own; and, under the leadership of a President whose policy upon all matters of domestic reform is meeting with such general approval, we are endeavoring to recover for our own people the ground which we have lost whilst our eyes have been strained towards the horizon of imperial grandeur.

No one will deny that the exigency to which the President has called our attention is a serious one, but it does not involve simply the ordinary exercise of the treaty-making power. It involves a new departure in our policy and active participation in the affairs of the Republics of South and Central America and of the Caribbean Sea—a protectorate over all of them which, in the end, may prove so absorbing as to draw our attention still further from the questions of domestic development and reform. Such a policy requires, not the secret consideration of the Senate, but thorough debate before, and consultation with, the entire people.

The evils which exist to-day in San Domingo exist in every South-American and Central-American republic. Almost all of them are embarrassed by foreign complications; almost all are being sapped by concessions to foreign countries which are oftentimes unwisely given and violently withdrawn. Almost all are dedicated to disorder and violence, instead of order and good government. All of them are under the protection of the Monroe Doctrine, declared by the United States, not as a matter of protection to them, but of defence to ourselves. Taking advantage of this, they repudiate their financial and honorable obligations, and oftentimes conduct themselves with a truculence that is most exasperating. As a matter of self-interest, therefore, the Monroe Doctrine compels us to protect these republics, whether they are right or wrong, and our moral position is not always a pleasant one.

In these matters San Domingo is typical. Revolution has followed revolution. Republican in name, the government is really a military despotism, where one dictator succeeds another, each possibly more cruel and more conscienceless than his prede-

cessor. Moneys are borrowed and bonds issued at enormous discounts. The bonds are floated, the interest defaulted, and foreign governments, urging the claims of their citizens, are met with the prevailing misrule and anarchy as a reason for non-payment. Concessions improvidently granted are withdrawn or interfered with, and claims arise out of these. European governments, accustomed as they have been of late to enforce the claims of their citizens against recalcitrant governments by peaceful blockades, by seizure of ports and territory, and by other methods, are deterred from doing so in this case by the Monroe Doctrine only. Outside of the Monroe Doctrine, armed intervention and the substitution of a government, however imperious, which would secure order, would be a blessing to San Domingo. European governments insist either that we should act in some such way as to settle these complications, or that we should permit them to act. Should we permit them to act, the peaceful blockade may end in war. The possession of a custom-house may end in the possession of the entire territory. The pecuniary claim may end in governmental possession and control.

It is true that, in this case, there is no suggestion of force or violence upon our part. Our intervention will be a peaceful intervention at the solicitation of San Domingo, and the purpose of it will be to secure for San Domingo an adjustment with her creditors, through the pledge of a part of her customs to be collected by an official of the United States, and distributed *pro rata* among the foreign creditors, including our own citizens. The proposed arrangement is a businesslike one, similar to that of an individual going through bankruptcy; a receiver is appointed who marshals the bankrupt's assets; claims are ascertained, and a *pro rata* division of the assets is made and an acquittance given. But here it is proposed that a government shall be the receiver; and what we fear is that, if the United States Government once obtains possession of any portion of San Domingo, our experience with the Philippines and Panama may be renewed.

And so the question of the desirability of San Domingo as an American acquisition comes up, and so also comes up the question as to the remaining islands in the Caribbean Sea, and what shall be our policy regarding them.

The American people have not looked with favor upon the ownership of these islands by European Powers. They command

the entrance to the Gulf of Mexico and to the Panama Canal. In case of war, they can be fortified and can be made the basis of naval attack upon our coast. Were they without population, they would be exceedingly desirable, because of their salubrity of climate and richness of soil. Outside of the small islands belonging to France and England, there are three great islands, namely, Cuba, Hayti and Porto Rico, Hayti being under the possession of two so-called "republics," the Haytian and the San-Dominican. Porto Rico is ours. Cuba is under our protectorate. Jamaica is well governed by England; Hayti alone is in a condition of unrest. If San Domingo drifts into our hands, Hayti is likely to also, and this means the addition of over a million of blacks to our population. The race problem now before us is, surely, sufficiently difficult.

San Domingo, therefore, is undesirable; and we should be cautious in entering upon a policy which will ultimately make her a part of this country. We should take the whole country into our confidence and deliberate upon every phase of the question. There are three courses to pursue: One is to declare, as part of the Monroe Doctrine, that the United States will not recognize the unpaid contractual obligations of any American country as a cause for foreign intervention of any kind. This might mean the continuance and increase of the existing disorder and anarchy, in the governments to the south of us.

The second course would be for the Government of the United States to take the bold stand indicated by President Roosevelt, which would involve a declaration to all American republics that the United States would not tolerate any failure upon their part to respond to the duties of civilization; that, if they failed to pay their debts, they would be made to pay them, or if they failed to maintain order and good government they would be compelled to maintain them; and that the United States would, by an armed intervention, compel honesty, peace and good order, if necessary. Such a policy might mean constant annoyance, an increase of our military and naval force, an enlargement of our military expenditures, and the absorption of our Government in extraterritorial affairs, when its whole attention should be applied to the development of our own country and the reform of abuses at home.

The third course would be to recognize the right of the European nation whose citizens have claims against the governments

of American countries, which the latter are unable through misrule and disorder, or are unwilling, through corruption and dishonesty, to meet, to move against such recalcitrant countries with all the force that is necessary to secure the payment of the claims, our government simply insisting that this force shall be only applied temporarily, and shall not result in the lasting possession of the territory of the recalcitrant nation or in the substitution of foreign for domestic government.

The danger in this policy is that it is not always easy to drop a possession once acquired, and that very many good reasons will be found for maintaining it; and that, in the end, we may have to use as much force in expelling the foreign government as would have been necessary originally in compelling the American country to respond to its obligations.

These are questions all involving the declaration of a new national policy upon the part of the United States, and it is of the highest importance that it should be carefully weighed and considered before action is taken. Such being my view, I urged that all the deliberations of the Senate upon the question of the San Domingo treaty should be in the open. It was not the ordinary case of treaty consideration, involving secrecy regarding the communications of and correspondence with a foreign government, but it involved a great national policy, which should be discussed in the open, the consideration of which should be shared by the people and the press, whose aid Congress should have in arriving at a final conclusion.

So far as this particular treaty was concerned, it involved the aggressive interference of the United States with the affairs of San Domingo. It was not framed simply upon a businesslike view of the insolvency of San Domingo; it expressly referred to the Monroe Doctrine as a reason for intervention. It bound the United States to take charge of the custom-houses of San Domingo and to apply fifty-five per cent. of the customs receipts to the payment of the debts of San Domingo. It bound the United States to attempt the adjustment of all the obligations of the Dominican Government, foreign as well as domestic; and it gave the United States a certain control over the tariff and port dues of the Dominican Government. It bound the Government of the United States, at the request of the Dominican Republic, to grant the latter "such other assistance as the former may deem proper

to restore the credit, preserve the order, increase the efficiency of the civil administration, and advance the material progress and welfare of the Dominican Republic." It involved almost everything in the shape of control and government.

As stated in the President's message, "the conditions in the Republic of San Domingo have been growing steadily worse for many years. There have been many disturbances and revolutions, and debts have been contracted beyond the power of the Republic to pay. Some of these debts were properly contracted, . . . others are, without question, improper or exorbitant."

The message goes on to say: "One of the difficult and increasingly complicated problems which often arise in San Domingo grows out of the violation of contracts and concessions sometimes improvidently granted, and valuable privileges and exemptions granted often upon grossly inadequate considerations, which were burdensome to the state and which are not unfrequently disregarded and violated by the governing authorities." The best evidence of such improvident concessions is contained in the agreement made by Morales, the present Executive of San Domingo, with the Readers, by which, in consideration of their securing the treaty for the purpose of funding and taking care of the debt of San Domingo, he made the most reckless concessions of grants for railroads, for timber privileges, banks, etc. Each revolutionary leader is willing to burden the state with any obligation, however large, provided he can secure for immediate use a part of the consideration.

The present indebtedness of San Domingo, according to some statements, is thirty-two million dollars, and according to others twenty-four million dollars, of which about four million five hundred thousand dollars is due to the San Domingo Improvement Company, an American corporation; fourteen million dollars is due to foreign bondholders; four million dollars is due on internal claims; and the balance mainly consists of arrears of interest. San Domingo has about six hundred thousand people, and the total debt amounts to about forty dollars *per capita,* or about $200 upon the average family. Such an average upon the part of the United States would mean an indebtedness of over three billions of dollars.

It is clear from the history of this indebtedness that, although a large proportion of it has possibly been genuinely floated in the

shape of bonds upon the investing public, a very small portion has been received by San Domingo; and San Domingo is practically in bankruptcy without the ability to pay, and without the ability to organize either a government or an economic system in such a way as to secure a compromise with its creditors, and the gradual payment of its debt. The compromise with creditors would mean nothing; for the creditors know from past experience that, after the payment of a few instalments has been made, even upon a small amount in compromise, default would take place owing to revolutionary conditions which follow each other in that island as one season follows another.

San Domingo, therefore, cannot herself compromise her debt. This task must be undertaken by some foreign government, or governments acting in unison. The security for the compromise, in the shape of customs duties, must be paid either under the control of a foreign government or under the control of some receiver satisfactory to the creditor nations, whose authority will be backed up if need be by force, and this force necessarily means the suppression of disorder and the maintenance of order by the dominating power of the creditor nation or nations.

The policy of the United States has been never to attempt to use force for the collection of the contractual claims of its citizens against foreign governments, or for the protection of the investments of American citizens in foreign countries. The contention of our State Department has always been that the American citizen who makes an investment in a foreign country surrenders his investment to the protection of that country, and cannot rely upon anything but the good offices of this country in an attempt to secure just treatment.

On the other hand, there are many European countries which apply force, particularly against weak Powers, for the enforcement of the contractual claims of their citizens, and this force sometimes means, not only the holding of ports and the collection of customs duties, but occasional seizure and permanent holding of the territory.

The seizure of Mexico by France, England and Spain was of this nature. England and Spain withdrew, leaving France alone in possession of Mexico. The United States applied the Monroe Doctrine and forced a withdrawal by France. Recently Germany, Italy and England made what they termed a "peace-

ful blockade" of a Venezuelan port. The presence of the armed forces of Europe in these ports was regarded with great apprehension by the American people, and popular excitement was averted only by the assurance that these great Powers had consulted our government before making the movement, and had given assurances that no occupation of territory was contemplated. Arbitration through The Hague Tribunal was accomplished through the friendly offices of our Government, but the result was a declaration of the principle of international law which practically negatives the whole purpose of The Hague Tribunal and puts a premium upon war. That Tribunal declared that Germany, Italy and England, through their display of force and blockade, had acquired a first lien upon the customs duties which were to be mortgaged for the payment of the award. The citizens of the United States who had claims against Venezuela were thus the victims of the tolerance and peacefulness of their Government; citizens of the belligerent Powers obtained a distinct advantage.

The difficulty then is this: If this country responds to the appeal of San Domingo to secure for her a composition with her creditors, to arrange the terms, to collect the revenues and to make the disbursements, it will doubtless be put in a position where it will be compelled to maintain order by its armed forces, and to practically govern the islands through its naval forces. If the Dominican people revolt against this, it will mean that we will have to suppress the insurrection by killing; if they yield to our control, it will probably mean that they will be so dependent upon our government that, when our task is ended, every reason of humanity and interest will be presented for our continuance in control, and thus the undertaking of a friendly task will involve us in the acquisition of a country containing a most undesirable population, whom it will not do to incorporate into our scheme of government, and whose government by our people will involve the enlargement of the Imperial idea and a still further abandonment of the old ideals of the Republic. If we do this in San Domingo, will we not be called upon to do it in Hayti, and, later on, in many of the South-American and Central-American republics; and, ultimately, will we not become so accustomed to the idea that we will be forcibly intervening for the purpose, not only of compelling the discharge of debts to foreign

creditors, but also of maintaining order and suppressing violence?

The magnitude of the task is appalling. Can such a task be undertaken save by an arbitrary government, in whose Executive are vested almost all the powers of sovereignty? Would not our government be overburdened with foreign problems, and would it not be impossible to consider the domestic problems which are likely to become more and more accentuated because of our complicated system of State and National government? The development of the Empire would then begin; the development of the Republic would then end. The development of the Empire means the control of other countries, inhabited by non-assimilable peoples. The development of the Republic means the expansion of our country from eighty to four hundred millions of a thoroughly homogeneous people, possessed of a domain rich in resources beyond the dreams of avarice, and governed by institutions which promise more for the happiness and prosperity of men than any other scheme of government ever devised.

But, it is said, it is impossible to permit San Domingo to drift as a derelict in the ocean; some creditor Power must control her, and if we do not control her foreign Powers will. This involves the assumption that, whatever Power takes possession of San Domingo, will take possession of it for all time, simply because of the inability of her people to govern themselves, and because dependence upon a foreign Power will drift them further and further away from self-government. Is, then, the only alternative to abandon the Monroe Doctrine and to admit that foreign Powers may take possession, either by treaty or by force, of San Domingo, with a view to securing the payment of San Domingo's indebtedness to the citizens of other countries, when we know that such possession cannot in the nature of things be temporary, but must be permanent?

It would be preferable for the American people to declare formally, under the Monroe Doctrine, that, whilst we have no disposition to protect American countries when they have done arbitrary wrong to foreign countries or their citizens, yet the redress sought must assume some other form than that of an occupation of territory, and that, in case of contractual claims, we would deny the right of foreign countries to use force against American countries for their collection.

But is there not some way in which San Domingo can be helped out of her difficulty? Why would it not do to have a Commission appointed, consisting of representatives from the creditor nations together with a representative of San Domingo? Let this Commission make a report to the respective governments, first, as to the amount which in justice and equity ought to be paid by San Domingo to each creditor, were she solvent; second, how much San Domingo can afford to pay without burdening the future of her people too severely; third, what percentage this would be upon the amount of the claims justly due; fourth, what security can be given by San Domingo involving the least governmental disturbance; fifth, the placing of such security, if it be in the shape of customs duties, under the control of a citizen of some disinterested Power, such as Switzerland, its control to be backed by such force as may be agreed upon by the creditor nations; all the nations stipulating that in no case would permanent territorial occupation be permitted. In other words, the proceedings might assume the form of proceedings against a defaulting corporation, resulting in the appointment of a receiver, an ascertainment of debts, gradual liquidation, and a final restoration of the property to the control of the corporation.

The difficulty about this would be that the American people have become so fixed in the view that the Monroe Doctrine absolutely prohibits foreign interference with American government and administration, that they may not tolerate the idea of foreign countries participating at all in such receivership. On the other hand, the only alternative is the acceptance of the receivership by the United States Government itself, and a receivership will undoubtedly mean in the end the permanent occupation and holding of San Domingo.

There is another view to be taken of San Domingo, which involves a comprehensive policy regarding all the islands in the Caribbean Sea. The United States now holds title to and possession of Porto Rico; it has a protectorate over Cuba which controls that island in its sanitary arrangements, in its debt-making capacity, and authorizes our government to intervene in case of domestic disorder and violence, threatening the stability of government. Between Porto Rico and Cuba is the island of Hayti, upon which two so-called republics, the Republic of Hayti and the Republic of San Domingo, exist. We

could declare a policy regarding the islands of the Caribbean Sea that we would not apply to the case of Central and South America—the difference in policy being based upon the fact of their propinquity, their control of the Gulf, and their control of the approach to the Panama Canal? If we have the ownership of Porto Rico and a protectorate over Cuba, it would not be a long step to establish a protectorate over San Domingo, and possibly over Hayti, if the latter consent, or if domestic revolutions there make it necessary for us in self-interest to intervene. We could commence by incorporating into our treaty with San Domingo all the essential features of the Platt amendment to the Cuban Constitution, and add to the protectorate a right to maintain a resident minister, whose assent would have to be secured as to all measures affecting the debts, the sanitation and the good order of the country.

It might be possible, later on, to adjust the race question in this country by providing for the gradual colonization of the blacks in the United States on these islands, under humane conditions as to individual proprietorship of land and industrial development. Cuba has to-day only a population of a million and a half of people, and she is capable of supporting a population of fifteen millions. Would it not be to the advantage of both countries if Cuba could absorb our negro population? The population of this country would then be homogeneous, and the grave disaster likely to come to us from the juxtaposition of the two races would be averted. To-day, we have twelve million blacks out of a total population of eighty millions of people. With their large birth-rate, they are increasing in larger proportion than our own people. The only thing that keeps them back is their large death-rate, and that will diminish with education and civilization. The imminent danger to this country is that, as the black race becomes stronger in numbers, the prejudice against it will increase. The lines between the two races are becoming more and more distinct every day, and there is the danger, in the future, either of a race massacre or of the inferior race being subjected to a condition approaching slavery. A race war would prove as great a calamity as the Civil War, and the subjection of the negro would simply renew the conditions which prevailed before the war. The war then would have been fought in vain.

Prior to the emancipation of the blacks, philanthropists throughout the country, including Henry Clay, were urging the colonization of our negroes in Africa, and the Liberian colony was formed with that view, such a system involving great hardship and inhumanity. But distance itself made this impossible. Here we have in the Caribbean Sea islands of unsurpassed fertility of soil and richness of resource, admirably adapted to the black race. The expense of removal would be light. The ability to secure individual homes for each family would be within reach. The process of readjustment would have to be a gradual one, for the immediate segregation of the black labor of the South would cause industrial disturbances of serious consequences; but, if the colonization of the negro is possible, it could not be accomplished under more favorable conditions, and we could easily afford the expenditure if in the near future a policy could be inaugurated which would preserve this country for all time for the white race.

These are the perplexities that are involved in this simple project of a treaty with San Domingo—the treaty which is urged with the best of intention by a President who is intent upon doing things, and who likes to do them quickly; and whose sincerity and patriotism no one doubts. He has opened up a wide field of deliberation; and it is to be hoped that the matter will receive, as it deserves, the full, candid and non-partisan consideration of the American people, the study of all the problems directly or indirectly connected with it, and the adaptation of the action of to-day to a broad and comprehensive policy that will insure the race integrity of the United States and the perpetuity of the Republic.

Above all things, we should avoid "drifting," the adopting of temporary expedients to meet temporary emergencies. We should, through Committee investigation and Commission inquiry, get at all the facts, economic and governmental, and by open debate challenge the best thought of the country.

FRANCIS G. NEWLANDS.

THE PROPER GRADE OF DIPLOMATIC REPRESENTATION.—A REJOINDER.

BY JULIEN GORDON (MRS. VAN RENSSELAER CRUGER).

In the May number of this Review, Mr. James F. Barnett replied to an article of mine which appeared in the January number under the title, "A Proper Grade of Diplomatic Representation." In opening his reply, Mr. Barnett said:

"Mrs. Cruger's remedy would be to provide official residences for our diplomatic representatives, 'in which all envoys, rich or poor, shall be expected to reside in a condition of quiet and unostentatious elegance consistent with republican institutions.' As a result, she thinks, the style of living would be approximately the same, whatever the personal means of the incumbent; and diplomatic life would, as of old, be open to the Irvings, Bancrofts, Motleys and Lowells of a later day.

"The ambassadorship was introduced into our foreign service by the Act of Congress of March 1st, 1893. This Act was passed at the very end of the last session of Congress under the Harrison administration. Coming, as it did, on the eve of a new Democratic régime, the measure seems to have been passed without discussion.

"Mr. Cleveland immediately availed himself of this authority by accrediting as ambassadors the new American representatives to England, France, Germany and Italy. No further additions were made to the number until Mr. McKinley's first administration, when, in December, 1898, our ministers to Mexico and Russia were accredited as ambassadors. In June, 1902, similar action was taken as to the legation to Austro-Hungary, and last year the Brazilian mission became an embassy. . . .

"The text of the Act of March 1st, 1893, is as follows: 'Whenever the President shall be advised that any foreign government is represented, or is about to be represented, in the United States by an ambassador, envoy extraordinary, minister plenipotentiary, minister resident, special envoy or *chargé d'affaires*, he is authorized, at his discretion, to direct that the representative of the United States to such government shall bear the same designation. This provision shall in no wise affect the duties, powers or salary of such representative.'

"Mrs. Cruger supposes that, 'whatever be the urgent need of this country for an envoy of ambassadorial rank, at a particular time or place, the President is powerless to take the initiative in appointing him. Not until the government to which he is to be accredited has actually taken the first step does the law in question become operative.'"

My excuse, if one be needed, for that supposition consists, first, of the fact that the statute in question so provides in express terms upon its face; second, of the fact that our Department of State has so construed it in the making of the appointments of every one of the eight ambassadors to whom Mr. Barnett has referred. He makes a strange mistake as to very recent historical facts when he says: "Mr. Cleveland immediately availed himself of this authority by accrediting as ambassadors the new American representatives to England, France, Germany and Italy." On the contrary, Mr. Cleveland did not take the initiative in appointing any one of the ambassadors to the countries named. Not until the government of each one of such countries had taken the first step did Mr. Cleveland respond, under the limitations of the statute, by appointing representatives of ambassadorial rank. Such is the history of every appointment of that class so far made. But to this Mr. Barnett may, no doubt, reply that Mr. Cleveland and his successors might have taken the initiative, if they had seen fit to assume that the act in question is unconstitutional and void, because in conflict with that clause of the Constitution which gives to the President the power, by and with the advice and consent of the Senate, to appoint ambassadors, other public ministers and consuls. That novel idea Mr. Barnett justifies by reference to a certain opinion given by Attorney-General Cushing to the Secretary of State, May 25th, 1855. He says:

"The point above alluded to was settled by an opinion of Attorney-General Cushing so long ago as 1855, when he ruled that an Act of Congress which provided that the President should appoint diplomatic representatives of a certain grade to certain countries was clearly unconstitutional. . . . In so far, therefore, as this law appears to limit the circumstances in which the President may appoint an ambassador, it is of no binding force whatever. At best, it is but an expression of opinion by the members of the Fifty-second Congress that the President should await the action of foreign governments before exercising this prerogative. To this extent the law is an anomaly, and *ought to be amended*, so that a diplomatic officer may be promoted whenever the President deems expedient."

Every layman knows that, when a law "is of no binding force whatever," as Mr. Barnett says this one is, it is folly to amend it. Every layman should also know that the opinion of an Attorney-General as to the unconstitutionality of an act passed in 1855 is powerless to "settle" the validity or invalidity of a very dissimilar act passed in 1893. Whatever weight the opinion of Attorney-General Cushing might have in this controversy would depend, of course, upon the application of the principles defined by him to the terms of the present act. Mr. Barnett is obviously in error when he so construes it as to make it "*limit* the circumstances in which the President may appoint an ambassador." Upon the contrary, it is designed to enlarge his powers and to leave his discretion absolute. When the foreign government has taken the initiative, the President "is authorized, *at his discretion,* to direct that the representative of the United States to such government shall bear the same designation."

So far, Mr. Barnett has hit the mark only once, and that is when, admitting the validity of the act, he says that "the law is an anomaly, and ought to be amended." That was my original contention. I ventured to say that it was far more practicable to remove in that way the difficulties of which the Hon. John W. Foster had complained in the paper which I undertook to review in the first instance, than to attempt to induce all Europe to abandon its habits and traditions through the abolition of the immemorial grades of diplomatic representation. Mr. Barnett evidently concurs in that view when he says: "As Mrs. Cruger suggests, there seems to be little likelihood that European governments would agree to the levelling process in diplomatic rank proposed by Mr. Foster." Persons familiar with foreign courts know this.

As Mr. Barnett, who is a member of the Committee on International Law of the American Bar Association, has studied in the School of Political Science in Columbia University, I feel flattered to have him declare that:

"With Mrs. Cruger's plea for official residences for our diplomatic representatives, all reasonable-minded persons will be in hearty accord. In February, 1897, Mr. Olney, then Secretary of State, transmitted to Congress a report on this subject, based on information supplied by our representatives abroad. It will be interesting to recall some of the statistics then presented."

Mr. Barnett then gives a list of governments owning official residences at the several foreign capitals. That list, including Vienna, Brussels, Pekin, Paris, Berlin, The Hague, St. Petersburg, Madrid, Constantinople, Berne, London, Teheran and Rome, concludes with the humiliating statement that "the United States owns legation buildings only at Tokio, Seoul, Bangkok and Tangier." Mr. Barnett evidently thinks that the best way to fill the vacuum is through purchases, to be made gradually in the several capitals, at a total cost of at least two millions of dollars. The practical difficulty is that there is no reason to believe that Congress would listen to the suggestion, wise as such a step would certainly be. On December 2nd, 1895, President Cleveland, in his annual message, said to Congress:

"I am thoroughly convinced that, in addition to their salaries, our ambassadors and ministers at foreign courts should be provided by the government with official residences. The salaries of these officers are comparatively small and in most cases insufficient to pay, with other necessary expenses, the cost of maintaining household establishments in keeping with their important and delicate functions. The usefulness of a nation's diplomatic representative undeniably depends much upon the appropriateness of his surroundings, and a country like ours, while avoiding unnecessary glitter and show, should be certain that it does not suffer in its relations with foreign nations through parsimony and shabbiness in its diplomatic outfit. *These considerations and the other advantages of having fixed and somewhat permanent locations for our embassies would abundantly justify the moderate expenditure necessary to carry out the suggestion.*"

I happen to know that the plan then in contemplation, involving a "moderate expenditure," did not look to the purchase of residences, but to a leasing of them for terms of years, and to the furnishing of them at the expense of the Government. For the paltry sum of about eighty or a hundred thousand dollars a year, adequate residences could be leased in all the European capitals in which they are needed, and for about three hundred thousand dollars they could be decently furnished. If Congress, leaving the diplomatic salaries as they are, would only make an appropriation of that kind, the whole matter could be settled at once upon a basis which would represent a good beginning. No larger or better beginning can be hoped for in the present state of public opinion.

JULIEN GORDON.

THE TRAFFIC IN SPURIOUS PICTURES.—A WARNING TO THE AMERICAN COLLECTOR.

BY A PARIS AUTHORITY.

"At the request of several auctioneers, and on the warrant of a *Juge d'Instruction*, a Commissary of Police in the Faubourg Montmartre quarter visited the sale-rooms of the Hôtel Drouot this week and seized numerous 'faked' pictures bearing the signatures of Boudin, Corot, Courbet, Harpignies, and Jongkind."—*Special Paris Cablegram to a New York Newspaper.*

WITH what astonishment must the American public—and especially American picture-buyers—have read the above cablegram, a few weeks ago, in their morning newspaper! "What?" I can imagine some millionaire connoisseur exclaiming, as he recollects that, on his last visit to Paris, he bought a number of modern pictures at this very Hôtel Drouot. "What? Purchasers are not protected against fraud in these official sale-rooms? In spite of official experts and ministerial officers empowered with enormous authority, and receiving still more enormous salaries, spurious pictures may be put up for auction and, but for the opportune appearance of a Police Commissary, may be sold as genuine works of art? I wonder if the Millet I bought there last spring is really by the master!" Such a state of things is, indeed, surprising to any one who is not behind the scenes, who is unacquainted with the shady side of the Paris picture trade. And as few wealthy American connoisseurs *are* acquainted with it, I shall endeavor in this article to open their eyes to some of the dangers with which they are threatened when they add to their galleries from the Parisian picture-market.

New though this subject will be to the people of the United States, it is a very old one to Parisians. The articles which have been written against the present vicious system would, if collected together, form many volumes. Some of them, as those which ap-

peared in the "*Gazette des Beaux-Arts*" about 1860, date back nearly half a century. Yet, for all that, nothing has changed; nay, the trade in spurious pictures, not to mention that in spurious works of art in general, is carried on on a larger scale than ever before. Never have the fraudulent practices of picture-dealers and "experts" been so barefaced as during the last few years.

One of the principal reasons why "faked" pictures continue to be sold at the Hôtel Drouot (and, consequently, at the dealers', for, once a picture has been sold there as genuine, it passes into circulation as such) is the well-known ignorance of the auctioneers. What are the necessary qualifications for exercising this calling? None whatever, except a sum of money large enough to purchase a post. A Paris auctioneer need have no artistic knowledge. "But," some one may say, "does he not acquire it after a few years' practice?" Possibly; but how many years will it be, presuming he possesses an aptitude for judging pictures, before he gains experience, and, meanwhile, how many "fakes" pass through his hands and are sold as genuine? "But is he not assisted by an expert?" some one else remarks. That is quite true. But what an expert! I imagine that magic word, which has so long opened all doors and enabled swindle after swindle to be committed officially with impunity, has lost a good deal of its glamour.

The expert in a Paris picture sale has no responsibility whatever. Yet he it is who presides over the sale, who draws up the catalogue in any manner he thinks fit, and who packs the sale-room with his friends and accomplices, with whom he is frequently agreed as to the opportune moment of putting up this or that work of art. The interests of the venders, and these are often widows or minors, are entirely in his hands, and, if he is so disposed, he can sacrifice them without fear of anything worse than reproach. On the occasion of a recent sale at the Hôtel Drouot, a certain expert, who, as is frequently the case, is also a dealer, placed a value of 150 francs upon a picture. One of the spectators, recognizing that the canvas was a good one and worth much more than the price placed upon it, bid again and again. The expert was also very anxious to have the picture, so much so, in fact, that he bid up to the sum of 1,200 francs before securing it. No sooner had the picture been knocked down to him at this price, than a well-known Parisian art critic rose and

reproached the expert with offering 1,200 francs for a work which he had valued at only 150 francs. It more frequently happens, however, that the "expert" is distinguished for his crass ignorance. The author of one of the articles already referred to, touching upon this very point, wrote:

"I accuse no particular person. I simply refer to the body of Parisian experts in general. What is the meaning of this title 'expert'? I am in absolute ignorance as to what examination they have passed, or as to the jury from whom they have received their diplomas. . . . I am astonished that, in a country where one so often encounters instances of the jealous supervision of the government, guarantees, both intellectual and monetary, are not required from those who are intrusted with such delicate duties. I am, above all, astonished that those ministerial officers, the auctioneers, have not been the first to point out this omission from the laws in regard to a body of men who daily act as intermediaries between them and the public. How is it that collectors do not more often protest against false attributions and, in addition to that, claim for the losses which they occasion?"

The Parisian picture expert need, in fact, have received no instruction whatever in art, and, as sometimes has happened, he may formerly have carried on the business of a hair-dresser! Or he may have been a commercial traveller, a wardrobe-dealer, or a vender of photographs. All that it is necessary for him to do is to learn by heart a number of art terms in current use, and place the word "expert" over the door of his shop. How can one expect such a man as this to distinguish spurious from genuine works of art, when even a painter himself is often at a loss to say whether or not a certain picture is really from his brush? The case of the great animal-painter, Charles Jacque, contesting the authenticity of one of his early and rather important pictures at a sale conducted by M. Charles Pillet, will be fresh in the memory of every one who has read the biography of that master of the 1830 school. Jacque recognized his error, after a more attentive examination than he had at first given to the work; but he would probably never have done so but for the chance presence at the sale of one of his former pupils, Maître Boussaton, who, distinctly recollecting the time at which the picture had been painted, begged him to make a final call on his memory.

Notwithstanding the little real value which is to be attached to the word "expert" or "*expert près les tribunaux*" which one sees over the doors of many Parisian picture-dealers, it is surpris-

ing what confidence it inspires, and how infallibly it attracts or retains customers. The possession of this magic title enables a dealer to deliver judgment on all questions appertaining to art, and without fear of contradiction. Picture-buyers place implicit faith in his dicta, pay him handsomely and are content.

Not very long ago, a gentleman, whom I shall call A——, had two pictures by Manet for sale. They had been bought from Madame Manet, on the death of her husband, and are recorded in the catalogue of the painter's works drawn up by M. Duret, so cannot be regarded as otherwise than authentic. Placed in relations with an American connoisseur, A—— showed him the pictures, and as these were found quite satisfactory a bargain was concluded. It was agreed that the canvases should be delivered at the connoisseur's hotel within twenty-four hours, the bill being paid on presentation of the works. On leaving A——'s house, however, the American, who was accompanied by a friend, possibly an adviser, thought he would call upon a certain expert and picture-dealer, whom we will label B——, to distinguish him from the vender. In the course of conversation, the purchase of the Manets was mentioned, whereupon B—— instantly declared that he knew the pictures were forgeries. Great was the American's surprise, and, as he placed a good deal of confidence in the expert's knowledge, he at once decided he would inform A—— that he had changed his mind. Astounded in his turn, A—— began to make inquiries as to the reason for this sudden change; and finding, after a lapse of several weeks, that B—— was at the bottom of the mischief, he determined the expert should see the pictures. Face to face with the two Manets, the dealer declared that he was "quite unaware of their existence" and that they were undoubtedly genuine. "How is it, then," he was asked, "that you declared they were forgeries?" "You are mistaken," was the reply; "it was not I, but my sons who said that." B——'s sons, being also invited to inspect the works, likewise declared they were genuine, and this is the excuse which the father, speaking to one of his friends, a few days afterwards, made in their defence: "My sons' reply was, after all, quite natural. Picture-dealers, possessing a large selection of works of art, including pictures by Manet, cannot undertake to assist others to sell their property!"

Why picture-collectors, who generally possess infinitely greater

knowledge of pictures than their experts, should place such faith in the verdicts of these people is one of the little mysteries of human nature. I suppose it arises from a desire on the collector's part to escape all responsibility. If an error has been committed, he can blame his expert; if he has paid too dear for a picture, he can tell his friends that it was the expert's fault; or, if he has missed the chance of getting hold of "a good thing," he can still find fault with his expert's judgment.

A few days before writing this article, I came across the following paragraph in a Paris morning newspaper:

"Do our readers know that there exists in Paris a manufactory in which artists, receiving large salaries, copy the canvases of the great masters? These pictures are sent to the United States, a high duty is paid upon them, and, being thus stamped as authentic, they are then sold for their weight in gold to American millionaires. In the gallery of one of these collectors can be seen quite a number of pictures the originals of which are either in Paris or in the provinces."

But one alteration need be made to these words: the writer should have said "a number of manufactories," for they simply swarm in the Montmartre and Montparnasse quarters, without counting those which are in the suburbs and provinces. Some are attached to this or that dealer-expert, whilst others undertake to supply the "trade" in general. As the same picture is copied several times—generally, however, with variations,—these copyists no longer have need of an original; a simple copy is all that is necessary. There you have the explanation for there being so many spurious Charles Jacques, Henners, and Ziems on the market. And, no sooner has an artist attained a reputation, than immediately an army of forgers set to work to imitate him.

In the case of Ziem, whose works are imitated on a larger scale than those of any other living artist,—and mentioning his name reminds me that Jules Claretie, of the French Academy, recently related in the "*Temps*" that the painter once refunded to a lady a large sum of money which she had paid for several spurious works bearing his signature,—in the case of Ziem, one has only to compare his (alleged) canvases in the shop-windows of certain large dealers with those at other dealers' to see that they represent a variety of manners and notes, which can only be explained by the fact that each imitator has put something of his own style of painting into his copies of the master's Venetian scenes. Fraud

is carried on to such an extent that the forger no longer waits for an artist's death. Not many months ago a consignment of twenty-nine pictures, all of them copies of works by three living artists, was seized at one of the ports just as they were about to be taken over to the United States.

Twenty years ago, when pictures of the 1830 school were all the rage, thousands of copies of canvases by Corot, Diaz, Dupré, Daubigny, Théodore Rousseau, Troyon and others were sent in that way to America. Dealers had in their employment a small army of imitators of those great painters. These *pasticheurs* worked, some, near Fontainebleau, others, in the neighborhood of Cernay, every week bringing in their work, signed, of course, with famous names. All the canvases by pupils of Corot, Diaz, and the others—men who had worked more or less in the style of their masters—which could be found were collected and re-signed. How is it that nowadays so few pictures by Villers and Mazon can be found? The many works which those excellent painters produced have not been destroyed. No; they have not been thrown away as worthless, because of the greater renown of Millet and Corot; they are hanging at this very moment in the galleries of great collectors, but baptized with other names than those of the men who painted them!

Here is another instance of what used to be done about the year 1880. A certain dealer in Paris bought one picture by each of the following painters: Corot, Daubigny, Diaz and Théodore Rousseau. Engaging a clever copyist at a salary of 1,000 francs a month, and providing him with a house and garden in the country, he set him to work to copy each picture twenty-five times, slightly varying the subject in each case. The hundred copies were produced in ten months, during which time, according to agreement, the painter saw no one save his servant. All these copies were sent to the United States and sold as originals from the collections of this or that well-known Parisian.

Very much the same thing is done nowadays in the case of eighteenth-century pictures. As in 1880, huge fortunes are being made by dealers who, ten years ago, were unknown in the picture trade. In forging old pictures, generally portraits, not only the copyist, but the painter-restorer, plays a part. The way in which the latter proceeds about his work will be seen from what follows.

A dealer collects together a number of pictures by one or other

of the numerous old masters whose works are not in vogue—if possible, pictures by a painter who worked somewhat in the style of this or that famous artist; and from these, by means of skilful retouching, the painter-restorer produces works which are signed Rembrandt, Ruysdael, Hobbema, Raphael, Boucher, or Watteau. Placed in the shops of dealers who are supposed to be honest, these canvases find a ready market among wealthy collectors, who almost invariably trust another person's opinion in preference to their own. In the case of portraits and pictures containing figures, such as those by Largillière, which, like Nattier's works, are just now rising in value, a similar method is adopted, only care is taken to select pictures the light parts of which are uninjured and as near as possible in the style of the master whose work is to be imitated. With the assistance of good engravings, the drawing is slightly altered; half-tones and shadows are added; and, by means of glazes, the necessary piquancy and effect are produced. Naturally, canvases of the correct period, and genuine old stretchers—or panels, in the case of painters who usually painted on wood—are selected. Thus, a worthless portrait of, say, an old woman is turned into a picture of a pretty, bright-eyed damsel, which, under the name of either Nattier or Largillière, will "embellish" the gallery of some transatlantic connoisseur.

The patina and cracks of old pictures require very skilful imitating. Some picture-forgers use saffron, bister, liquorice or black coffee, which have now replaced bacon rind, so much used in former years. When this has been applied and is quite dry, the picture is varnished. Sometimes thick oil is added to the varnish, or it is colored with bitumen, yellow lac and red ochre, which give almost exactly the tone of old varnish.

Lest some of my readers may be inclined to think that I have exaggerated the dangers which the unwary American collector runs in placing his interests entirely in the hands of certain Parisian dealer-experts, let me here state that many of my facts have been obtained from a well-known French collector who, on more than one occasion, has detected the numerous tricks to which these unscrupulous tradesmen resort. My thanks are due to him, not only for the invaluable fruit of his experience, but also for his kindness in placing his library, and above all his annotated catalogues, numbering some 20,000, at my disposal,

catalogues which, he tells me, have often saved him from purchasing spurious pictures. He said:

"When a picture is offered to me, I at once refer to the catalogue of the collection from which it is said to have come, and find out for myself if that is really so. I have frequently discovered, thanks to the indications as to prices, etc., written in my catalogues, that pictures or other works of art have been withdrawn as forgeries or doubtful. Once I found that the picture offered me—it was a Watteau, said to have come from the Morny Sale, and it was afterwards sold as such to a rich American—was another work altogether. But look for yourself and you will see that the Duc de Morny's Watteau was bought by the Marquess of Hertford, and, as every one now knows, it figures to-day in the Wallace Gallery in London. Had your compatriot but possessed this annotated catalogue he would have saved I don't know how many thousand dollars."

On my remarking that it must not be easy to get together so precious a collection of documents, my friend continued as follows:

"No; it is not easy unless you possess ample means. But what is a sum of ten or twelve thousand dollars to one of your American millionaires? And for much less than that a connoisseur could form a similar collection of catalogues to my own; he has only to apply to the same quarter . . . . and he can obtain annotated duplicates. I have not the slightest doubt that, as in my own case, he will find the investment is a good one."

This French connoisseur's superb collection of catalogues has come from various sources, the autograph annotations being by such celebrated experts and art critics as Paillet, Regnault Delalande, Duclos, Thore Burger, Philippe Burty, and Eugène Piot. The names of these men are alone a guarantee of the accuracy of the information which they have handed down for the benefit of future critics and collectors. Here are a few instances of the valuable data which these catalogues contain:

"1868. Collection of his Excellency Khalif-Bey, containing many first-class pictures. Two Fromentins were declared at the sale to be mere copies."

"1869. Collection of Koucheleff Besborodko, containing pictures by Dutch and Flemish masters. Several were pronounced forgeries, including one Albert Cuyp, one Rembrandt, etc."

"1870. Collection of San Donato. Most of the Creuzes were copies. Three Paul Delaroches were likewise forgeries. Yet, in spite of the fact that they were known by critics and experts to have been the work of a painter named Berenger, they were sold as originals at high prices."

"1876. Schneider Collection. Two Rembrandts were sold as doubtful."

"1899. Collection of Comte Doria. Amongst many fine examples of the 1830 School, quite a number of forgeries were put up for auction at this sale. They were, however, withdrawn, or at least some of them."

"1899. Collection of Madame Richard, *née* Bournet Aubertot. A Nattier, although declared to be a forgery by many well-known judges who were present at the sale, was sold for 49,500 francs."

"1900. Guasco Sale. At this sale a Troyon was falsely ascribed as having been in the collection of the painter. Moreover, it bore the stamp of the Troyon sale."

"1900. Rey Sale. A Raphael was sold, but the description in the catalogue is not that of the work put up for auction; it applies to quite another (genuine) work."

Now, let me ask American connoisseurs if they really think that the above-named forgeries are not still in existence. Their reply can only be: "Certainly, they are still on the market." Depend upon it, many of these pictures are in great collections in France, England and the United States; and from time to time, at the death of their owners, they are once more sold as originals. Some are still in the hands of unscrupulous dealer-experts, who, on offering them to collectors, produce catalogues (un-annotated, you may be sure) of the famous sales at which they were sold, or withdrawn. I would that some public library in the United States possessed, for the protection of American picture-lovers, such a collection of catalogues as that owned by my obliging friend.

I am fully aware that, in revealing the fraudulent tricks of picture-dealers, I shall have deeply wounded their *amour-propre*. But, by opening the eyes of American collectors, I shall have done service, not only to them, but to those dealers who have for years past regarded honesty as the best policy. The interests of a number of unscrupulous *marchands-experts* should not be allowed to interfere with those of honest members of the trade.

A Paris Authority.

AN OPEN *VERSUS* A CLOSED SHOP.

BY JOHN BASCOM, LECTURER ON SOCIOLOGY IN WILLIAMS COLLEGE.

AN "open" as opposed to a "closed" shop is a phrase which has caught the ear of managers and created a sudden flurry in the labor-movement. It casts a deceptive light on the controversy between labor and capital. Without in any way altering the claims of the two parties, it creates a passing impression in favor of one of them. An open shop suggests liberty and a closed shop tyranny. Yet an open shop can only mean one in which those who enter and those who leave do so at the suggestion of the employer. Its freedom is the freedom of the man who keeps it. The closed shop suggests the absolute control of union men; yet the government of union men is constantly pushing toward methods whose defence rests on the interests of the entire working class, and on the reconciliation of those interests with the interests of the community at large. The liberty contemplated is the fullest liberty possible. The words, "an open *versus* a closed shop," give a factitious coloring to the entire question. If we substitute for them the far more descriptive phrase, "an unorganized as opposed to an organized shop," the illusion disappears, and we are thrown back on the old problem.

The labor-movement stands for an immense social gain. That the laboring class, which has long suffered social depression and been without any adequate protection against extreme pressure, should make a well-advised and patient effort for their own relief is a fact of first importance in human history. The partial success of this movement in England, during a century of hard struggle, settles it as a force which must henceforward be dealt with as an established tendency. Indeed, it is becoming an accepted truism with employers that trade-unions are well enough, only their particular action at a given time is ill-advised.

We have reached a period, and the sooner we recognize the fact the better, in which the questions that lie between management and labor call for careful consideration and a settlement of the principles involved in them. This is a demand in the interest of both parties. Neither of them alone is in a condition to understand or to settle their respective claims. The phrase, "an open *versus* a closed shop," tends still farther to confuse the controversy and postpone its adjustment.

This adjustment is of vital interest to the parties to it and to the entire community. The losses, errors and vexations which attend on the formation of new social relations are of small importance compared with the gains that go with them. That labor and management should be put on more harmonious terms with each other, and that this advance is delayed by the hostility of so many managers to trade-unions, are facts that stand plainly out in the present disturbed relations.

A fundamental reconciliation called for is involved in the words "an open and a closed shop." Who are the parties whose interests are to be adjusted in organizing production? Besides the combinations on either side between employees and between employers, there are other workmen and other managers who cling to individual liberty, and prefer to remain as long as possible on the basis of personal adjustments. This class among workmen are favored by employers and played off against the unions. They thus come to be cordially disliked by the unions and are pushed aside as having no standing in the controversy. The open shop of the employer gives to this class the upper hand. The closed shop of the unions denies them all footing. Till this question between unions and non-union men is settled, there is sure to be aggression, and so violence, on either hand. The offer of a non-unionist to take the place of a unionist is regarded by the latter as intermeddling; and it is so far antagonistic as to render nugatory the primary idea of the union—a collective bargain. There is an hostility between these two attitudes which can only be overcome by finding some just method of reconciliation. This calls for dispassionate consideration by all the parties to the strife, both those who would cling to the old ways and those who would replace them by new ones. The underlying principle which must harmonize these conflicting tendencies, is the public welfare.

In the steel industry, a bold, determined man, who had fallen out with the unions, made it his business to organize poorer workmen, and by their aid to "break" the strikes of the unions. In doing this, he showed much ability and courage; yet his action is to be judged, not by these qualities, but by the relation it bore to the welfare of the class to which he belonged. The rightfulness of action between men and between classes is determined by its relation to progress. He who opposes social development does so at his peril. A minority, in pursuit of the public welfare, has more claims on public support than a majority opposed to it. Such a minority, if successful, will increase the sum of liberty; while the majority, by prevailing, will reduce it. All personal freedom which is not obviously inimical to progress is to be watched over; and here lies the solution of the question between unions and non-union men. Both theory and experience attach a high value to unions, yet the union cannot be forced at once on all workmen. The right of personal liberty remains, till it begins to be manifestly opposed to joint action. There is thus at this point a constant change of claims, and a growing rightfulness in unions as they reach the foreground. It is time that the rights of these two classes of workmen were both recognized, and held in an amicable form. The hostility between labor and management prevents this. Management espouses the defence of the independent workman, and pushes his claims in a way that renders null the labor of the unions. The non-union man is thus made to block the growth of an entire class.

The present strife between labor and capital embarrasses every question of rightfulness between the two parties to production, and prevents any just apprehension of the differences which divide them. The measures suitable to war are not those fitted to peace. Let laborers and managers address themselves to the question, What are the relations best fitted to promote the general welfare? Difficulties would then begin at once to give way and would shortly disappear. Managers, by the eagerness with which they insist on retaining power and excluding counsel, foment the strife which blinds both parties to the sense of rightfulness. Peace would awaken new feelings, open up another set of considerations, and greatly widen knowledge.

Many of the faults met with in the unions, and bitterly complained of by employers, find their explanation in the senti-

ments incident to a state of war. Measures in themselves wrong commend themselves to workmen because they are weapons—only too few—in carrying on a strife in which the workmen are often taken at disadvantage and hard pressed. They are ready to neglect claims and inflict injuries, because they are fighting for existence. They cannot afford to wage war gingerly. Let the unions be once honestly recognized, and their members would be prepared to consider those questions involved in the common prosperity. Workmen have not been desirous of a corporate existence, because they feared the legal liabilities attached to it. They were stripped for the fight and wished no new incumbrances. Give them the sense of fair dealing, and this feeling would pass away. The contest is already too unequal to be farther burdened, as things now are.

Workmen are complained of as needlessly limiting production, and, when its conditions are already critical, of still farther embarrassing them by new claims. Managers herein forget that they create the circumstances under which methods take on the form of war measures. In war, we do not wait for the enemy to get ready; we strike as best we can and when we can. Oftentimes, the manager has been so long forgetful of the rights of the workman that he is surprised, grieved, angered to find them spring up like serpents in his path. Let us have peace and deliberation, and our notions will alter as to what is wise. The larger the output, the more successful the enterprise, the better for the workman, if the division of returns is acceptable, if the prosperity achieved is the common prosperity. We have not to go far to understand the satisfaction which one feels in impeding the production of those who unscrupulously appropriate the fruits of his labor. There is much simplicity in the censure of the manager who finds fault with workmen for lack of interest in their work, when he has given little attention to their claims. A first step toward a mutual understanding is consultation; strife only perverts the thoughts more and more.

Trade-unions are censured for putting superior labor on the same footing with inferior labor. The incentives and rewards of enterprise are thus greatly reduced. It is not easy to determine how the motives to industry can be fully retained in connection with restraints on the hours of labor and on overwork. This is a phase of the labor question which can only be arranged by careful

deliberation, and by the conviction that the methods accepted will be employed in good faith, and not bent to a personal end. It is certainly not more for the interest of workmen than it is for the interest of managers, that distinctions in the quality of labor should be overlooked. Each has a right to demand that the differences between laborers in efficiency shall not be lost sight of, and shall not be used as a means of reducing wages. Give us quiet consultation, and we may be able, at least in part, to reconcile the claims of the weak and the strong. The inferior are not to be used to settle the pay of the superior, nor are the superior to be compelled to reduce their labor to the standard of the inferior. Both policy and good-will may now impel the union to shelter the poorest workmen, lest these workmen should be left ready to break down its efforts for improved wages.

A kindred discussion has arisen in connection with apprentices. The number to be admitted to any department of labor is not a question to be pulled hither and thither, as the interests of contending parties may prompt. Managers, wishing sharp competition among laborers, may prefer a good supply of apprentices; and trained workmen may desire to keep the number down. The community at large has also a direct interest in the question. Any unnecessary restriction as to the pursuit of any occupation narrows the general choice, and tends to congestion in the less favored forms of labor. The community cannot advantageously allow labor and capital, even when agreed, to limit production and raise prices by a reduction of employment. A delicate question of this sort properly comes under principles of liberty applicable to the community at large.

The narrow and personal character now given to the contention between labor and management indisposes both parties to arbitration. When managers affirm that they have nothing to arbitrate, they usually mean that they are so confident of their own power that they do not care to run any risk by arbitration. Workmen are generally more disposed to arbitration, as being less able to bear the delays and risks of strife. Yet workmen may hesitate, so keenly aware are they of the interested and unsympathetic feeling which pervades the community at large. They have a strong undercurrent of custom, conventional sentiment and interest to confront.

The desirability of a judicial tribunal, such as is found in New

Zealand, becomes manifest, when we confront conditions so unfavorable to sound counsel and speedy action as those which prevail with us. A tribunal should be always open whose office it should be to adjust the claims of both parties to each other, to watch over the interests of the entire community, and to carry events forward in the wisest practicable way. The decisions of such a tribunal should cover all interests and define all obligations, both those of the unions and those of laborers outside of the unions.

Under this system, principles begin at once to be established, experience is accumulated, errors are corrected, and the feelings of all classes begin to shape themselves to new conditions. Discussions bearing on the general welfare take the place of passion and personal prejudices. A new development sets in, and, as strife ceases, good-will comes to prevail. If we have any faith in human counsel, here is an opportunity for its wide application. The magnitude of the interests which would be affected by it in this country may be a reason for delay, but certainly not for blind disregard. We may well claim that the firm footing of the unions should at once be recognized, and action be suited to them with as much breadth and deliberation as are possible.

JOHN BASCOM.

ARTHUR, GUINEVERE AND LANCELOT.—AN OPEN LETTER TO MISS JULIA MAGRUDER.

BY JULIET EVERTS ROBB.

DEAR MADAM:

Is this paper of yours, called "Lancelot, Guinevere and Arthur,"* meant to be an argument for so-called "free-love"?

After a first reading, one is impressed with your championship of those lovers, in the poems you criticise, whose relation is illegal. Lancelot, "the flower of bravery," and Guinevere, "made for the love and worship of men," conceive for each other "the supreme love of both their lives," at a time when the lady is promised, but not bound, in marriage. Her vow to Arthur is made, however, and, together with Lancelot's oath of fealty and friendship to the King, stands between them. Still, they seek each other's arms. Guinevere's course is not to be wondered at, you think, because Lancelot "shows continually before the Queen such qualities of mind and graces of spirit . . . as furnish a reasonable and honorable foundation for the sentiment already kindled in her heart," and because "Arthur bored her." Lancelot is justified because she was his *only* mistress. He must not be held a smaller soul than Arthur simply because "he had not the chastity which consists in fidelity to the legal bond." To Lancelot, Guinevere "is bound by every tie of natural instinct, spiritual selection, intellectual judgment . . . the heart's affection based upon the mind's approval." Between her and Arthur "there is but the legal bond," you say; and for the "moralist's" dictum that this fervent and romantic passion, made unlawful by the woman's marriage with another man, should have stopped short of fulfilment, you have nothing stronger than "perhaps."

But there are expressions of respect for this secondary thing,

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this marriage. In our preoccupation with your earnest advocacy of the claims of love, we may have given these expressions less than due attention. We reread the article.

The marriage ceremony, you state, is "designed to operate for the good of the state, in the legitimizing of children and the inheritance of property." The strongest argument for it is "that of necessity." "The law *must* hold a man and woman together, because love will not." The legal bond we must respect, you are sure—but not the legal bond without love. But you have just asserted that love fails to hold husband and wife together, and, *therefore,* the legal bond *must* hold them. They must be held; they must not be held unless in love; and yet we cannot expect that love will last. I fail to follow this reasoning. 'Tis too hard a knot for me to untie.

Into the "Idyls of the King" you read—I must put it so, because I cannot for a moment concede that Tennyson wrote it there: the reason why the conclusions you cite have "passed unchallenged so long" is that no one but yourself ever saw them in the poems—into the Idyls you read the teaching that the mere ceremony of marriage is all in all, the sentiment of affection unimportant, and that the legal bond will endure in the life to come. Against this manifestly absurd doctrine you protest, declaring that such an ideal should not prevail with the men and women of to-day.

Nowhere in your paper do I find a clear and logical statement of the ideal you think should prevail. Love might be, you think, the all-sufficient tie between husband and wife, if only love were enduring; but love is notoriously changeable; it will not bind with any dependableness—hence, the necessity of a legal bond for the legitimizing of children, etc. The one statement which you emphasize, with "must" in italics, is this one, that it is needful to hold husband and wife together: that is, if there be love between them. So we go around and around in bewildering circles.

Are you trying to say that marriage should never be *entered upon* without mutual love? Surely, all would second you here. But what you really say is, that the legal bond without love is not to be respected. Do you mean without mutual love, or without any smallest minimum of love? Would love on one side outweigh indifference on the other, and make the bond respect-

able; or should the slightest wavering of one heart vitiate the whole contract? "Love is impermanent." Even if the union have been the result of mutual attraction, there may come a time when the love of one or other party may cease or wander, and fix itself upon a new object. What then?

Suppose that the love of the deserted one continue and even intensify—as, alas! so often happens—which love, the new or the old, has the better claim; and if the wounding of the unwedded love be cruel, what of the injury to the faithful married love? Probably you would answer that to remain in wedlock with love unrequited would be greater suffering than separation. The marriage should then be broken if only one withdraw allegiance. Is not this making love, which you say is an unreliable bond, the only bond, while yet you maintain that there must be a bond, and that it must be respected? Here is a tangle of inconsistency!

Just what do you mean by "respecting the marriage bond"? The only conclusion I can reach through your expressions is that you think the contract between man and wife should still be legally valid, even if neither love the other, but only legally; for, love being "itself its best excuse" and the supreme motive, each may follow the promptings of the heart even if they lead to unauthorized embraces.

Tennyson's prejudice in favor of Arthur you think unwarranted and antiquated. What would you have had him say of the spotless King, his wedded wife and her chaste paramour that would have made his teaching more reasonable and "up to date"? He could not vary the story of the events of their lives; he sought only to give a poetical version of time-honored traditions. A twentieth-century historical novelist, of course, would have "changed all that" without hesitation; but Tennyson was a poet.

You do not express the opinion that he should have made Arthur divorce Guinevere and let her marry Lancelot, but only that less praise should be meted to the King, less blame to the interesting lovers. You censure the poet for treating love as an unessential, a negligible quantity, in the marriage relation.

Tennyson not a worshipper of love! Read again, and read more widely! Tennyson could not have written "Laus Veneris"; but he wrote "Maud" and "Locksley Hall" and "The Princess" and "The Day Dream" and "Sir Lancelot and Queen Guinevere," and the other idyls besides the two from which you quote.

One could make a volume of love-lines from Tennyson. He knew not alone the temporary but the real value of every phase of love.

Was Arthur loveless—cold? He was hot enough in battle, in scourging of wrong-doers, in hand-clasp with his friend. His whole being was aflame for Guinevere.

> "But Arthur, looking downward as he passed,
> Felt the light of her eyes into his life
> Smite on the sudden."

> "And Arthur, passing thence to battle, felt
> Travail, and throes and agonies of the life,
> Desiring to be joined with Guinevere."

> "For, saving I be joined
> To her that is the fairest under heaven,
> I seem as nothing in the mighty world,
> And cannot will my will, nor work my work."

At the altar he vows to love her to the death, and his vows were truth. When she lies before him—at his feet—in the shame of her late confession of unworthiness, he cries in the anguish of a mortal wound:

> "I, whose vast pity almost makes me die
> To see thee laying there thy golden head,
> My pride in happier summers, at my feet."

> "My love, thro' flesh, hath wrought into my life
> So far that my doom is, I love thee still.
> Let no man dream but that I love thee still."

Is this the utterance of an insensible heart?

But Guinevere? She stands before the altar with hand in his, and speaks the vow he speaks: "King and my lord, I love thee to the death!" But on her lips the words are conscious falsehood. Here is the woman's great sin. The words were a part of the ceremony—she had to speak them to be married at all? Perhaps: if so, they certainly prove that, in those days dominated by Arthur, love was held of great importance to the marriage bond. But Guinevere was not compelled to wed with Arthur. The parental wish was usually obeyed but it was not obligatory. Women's inclinations were consulted. Yniol says to Enid's mother, when Geraint has asked for the maiden to wife:

"Mother, a maiden is a tender thing,
And best by her that bore her understood.
Go thou to rest, but ere thou go to rest
Tell her, and prove her heart, toward the Prince."

The lady Lyonors

"Will not wed
Save whom she loveth, or a holy life."

True, there was no paternal pressure behind Lyonors, but the lines go, with many others, to show in what esteem love was held among these people.

Guinevere had only to speak, if but to ask for delay till she should be sure of her own mind. The King would not have touched the tip of her smallest finger, had he known she came to him with any but a full and free heart.

Why could not the two have uttered their thought? Lancelot knew the King, if Guinevere did not—knew that Arthur would have placed her hand in his and prayed a blessing on their heads; have bitten back his own pain and smiled upon them, and loved them always—both—the better for the strength and truth of their love for each other. But they lied; they lied by speech and they lied by silence; and in this falseness walked together into the hell that might have been a paradise.

Guinevere never let herself know the King. Preoccupied with Lancelot, she blinded herself to Arthur's qualities and must have repelled the warmth he would have shown. Though Arthur would not see the treason of the two dearest on earth to him, he must have been sensible of the involuntary withdrawal of a heart which did not hold him dear. Doubtless, he honored what seemed to him her purity, her superiority to the physical side of love—restrained himself, lest he hurt their high spiritual relation—made himself cold for her dear sake. And she, incapable of understanding his fine soul, but restless in her equivocal position, seeks always to excuse herself with his too faultless perfection, like the people who,

"since his ways are sweet,
And theirs are bestial, hold him less than man."

Yet she goes to Arthur's bed, receives his husband-kiss—then, "when the good King should not be there," opens her arms to

Lancelot to recompense her sacrifice to the King. And you think "perhaps" this thing should not have been.

The world—the poet—never blamed Lancelot and Guinevere for falling in love; their affinity for each other had all the possibilities of an elevating and immortal attachment: the thing that condemns them is their enslavement to the flesh and their contemptible deceit.

> "Accursed, who strikes nor lets the hand be seen."

They were not happy, through it all—these infatuated ones. Their relation was a progressive torment. As they grew in experience—she in power to realize, he in actual knowledge of the consequences of their infidelity to the highest—they well-nigh reached despair. How otherwise?

I do not read this into the poems. It is all there, unmistakably revealed with infinite insight and consummate art.

Call up again the image of Guinevere. Is there any joy in her face—any lightness in her mien? Is she not the grave, the stately, sad-browed Queen? She knew no rest.

> "The Powers that tend the soul,
> To help it from the death that cannot die,
> And save it even in extremes, began
> To vex and plague her. Many a time for hours,
> Beside the placid breathings of the King,
> In the dead night, grim faces came and went
> Before her, or a vague spiritual fear."

In the scenes with Lancelot are jealousy, suspicion, reproach, fierce determination to recall the sweetness of their first meeting. And as for Lancelot, "the most disloyal friend in all the world," why not have quoted further, when you gave his words of faithfulness to the ruined woman who has all his knightly pity as well as his love?

> "I needs must break
> These bonds that so defame me: not without
> She wills it: would I, if she willed it? nay,
> Who knows? *but if I would not, then may God,*
> *I pray him, send a sudden angel down*
> *To seize me by the hair and bear me far*
> *And fling me deep in that forgotten mere,*
> *Among the tumbled fragments of the hills.*"

I know of nothing in literature to compare with this tale of lovers but the way in which Tolstoy makes us feel the sickening weariness of the unlawful relation of Vronsky and Anna Karenina.

And the result:

> "Then came the sin of Tristram and Isolt.
> Then others, following these my mightiest knights
> And drawing foul ensample from fair names,
> Sinn'd also."
>
> "The children born of thee are sword and fire,
> Red ruin, and *the breaking up of laws.*"

The "foul ensample" brings its inevitable consequences. Arthur's eyes are opened at last—his wife, his friend, his great ambition, his life's devotion, all blasted. Yet, through his suffering, he keeps faith, pity, love, hope. The woman is frightened, resentful, easily incensed, suspicious, petulant; stung to every manifestation of smarting pain by her conscience—her conscience, which could not be quite drugged to death through all these years of stupefying self-indulgence. For in Guinevere has grown, slowly, in spite of repression, the knowledge which makes Lancelot protest to young Lavaine's praises,

> "I am not great:
> *There* is the man."

She says to Lancelot, when jealousy stings her beyond self-control:

> "I for you
> This many a year have done despite and wrong
> To one whom ever in my heart of hearts
> I did acknowledge nobler—"

And again, in self-communion:

> "We needs must love the highest when we see it,
> Not Lancelot, nor another."

At last we have the incomparable scene of the parting between Arthur and Guinevere. He seeks her to give her soul repose, if it may be, through his forgiveness. Is there one syllable of his in that interview that speaks other than the unquenchable love

of a broken heart? The only words of reproach for Lancelot, even, among many of appreciation and praise, are those which you resent, "a smaller soul." Is that a harsh judgment upon the man who could, by robbing him secretly and shamefully of his dearest treasure, so cruelly betray the friend in whose heart he was cherished, in whose hand he had sworn eternal allegiance? Do not believe but that Arthur's grief over his friend's moral decay was as great as the bitterness of his own loss.

The moment comes when Arthur must leave the Queen—there is no future for them on earth, but he loves her still, he longs to touch the dear golden hair, if only he might. He loves her so well that he must hope that somewhere, sometime, in that eternity which had not been questioned in those days, when her soul has been freed from the imperfect body, she will recognize, not her earthly legal bond to him—it is not this he cries out for in the words you so sadly misread—but that her unsealed vision may see and claim with joy his love, his holy, deathless love. And, even in this mighty hope, there is no suggestion of his right to her. He does not say, "Thou shalt be bound to me through all eternity, because I was thy husband here before the law"—there is no intimation of such a thought; he says,

> "*Perchance*, and so thou purify thy soul,"

and

> "Leave me that,
> I charge thee, my last *hope*."

One does not "hope" for that of which one has assurance. And Guinevere, when he was gone,

> "Stretched out her arms and cried aloud
> 'Oh Arthur! . . . .
> . . . . now I see thee what thou art,
> Thou art the highest and most human too,
> Not Lancelot, nor another. Is there none
> Will tell the king I love him tho' so late?'"

The ideal portrayed in Arthur's relation to Guinevere is one, it seems to me, worthy to endure far beyond the twentieth century.

Meanwhile, leaving aside the monstrous idea that has arrogated to itself the name of "free love," as if it were not bondage to the lowest in us, let us allow that divorce is still, sometimes,

the only deliverance from a situation not only intolerable to a wedded pair but injurious to their children and, through them, to humanity. Still, this twentieth century, which you would have us think has advanced beyond Tennyson's sincere but "ridiculous" veneration for the marriage bond, is really nearer than any of the preceding centuries to sustaining it. The institution of marriage is itself a sign of the upward growth of humanity. It becomes not less, but more, binding as the spiritual evolves and dominates the physical.

To-day men and women of the highest development, prophetic therefore of the future type, seek each other only when the mind's approval seconds the body's impulse. They join their lives with the deliberate intention of bearing and rearing, through long periods of tutelage, the new men and women for whom they are responsible, to the end that they may be more than individuals, living for their personal experiences—with the purpose that they shall become, consciously, members of the great body of humanity, having a part in its upward progress. To such men and women it is not religious duty to follow unquestioningly the first promptings of youthful passion; heart's boundless love they give, but it must follow the vision of the highest. In their belief, to love one only and to cleave to her implies and involves public acknowledgment of the relationship and its theoretic, ever more and more to be actualized, inviolability. If marriage without love is not marriage, so also love which does violence to marriage is not love. The marriage ceremony is not a proclamation of imprisonment but of opportunity; its bond is not a fetter but a garland. Still, it may not be disdained or broken. The crowning does not make the king, you say. No; but it places upon the man whose head receives the crown the obligation to sacrifice, if need be, everything that is mortal in him to its honor.

JULIET EVERTS ROBB.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: ROME: WASHINGTON.

LONDON, *May, 1905.*

THAT a country may be aristocratic in its society and Radical and even Socialistic in its politics is a paradox that has become almost a commonplace. Nor does its converse hold any the less good. A country may be an unmitigated Democracy in its social standards and its social atmosphere, and yet display in the conduct of its public affairs a spirit of Conservatism not far removed from Toryism. Great Britain is an example of the former type of nation and the United States of the latter; and it is not a little curious that, at the very moment when the Supreme Court dealt its smashing blow at the legislative regulation of hours of labor, the English Parliament should be taking a gigantic stride towards the Socialist ideal. I refer particularly to the Unemployed Bill, which is only one of several recent incidents that show the growing power of Labor in our politics and the increasing absorption of Parliament in questions of social reform.

On almost the last day of April, for instance, the Local Government Board issued a circular to the various Boards of Guardians on the subject of underfed children at the public elementary schools. A painfully large number of school children go through their daily lessons in a state of semi-starvation or actual starvation. All such cases are henceforward to be relieved by the local Boards of Guardians on the application of the child itself or of the managers and teachers of the school attended. The relief given is to be considered as a loan by the local authority to the father of the child, unless there is satisfactory proof that the cause of the child's destitution is the father's inability, not his refusal or neglect, to provide proper food. Unless such proof

can be produced the Boards of Guardians are authorized to recover from the father the cost of the food given. In all cases, before relief is afforded, the father is to be communicated with and an opportunity allowed him of providing the proper food himself. No relief is to be given for a longer period than one month; but the application can be renewed if necessary. In cases where the application is repeatedly renewed and where, nevertheless, there is reason to believe that the parent is able to provide proper food, the Guardians are advised to proceed against him under the Vagrancy Act or the Cruelty to Children Act. The relief is not to take the form of money, but of food-tickets issued upon local charities or upon shopkeepers. This part of the scheme has been a good deal criticised. No such local charity for the provision of meals may exist and orders on shopkeepers issued by the Relieving Officer are clumsy, uneconomical and liable to obvious abuse. Moreover, so long as the matter is left to the Guardians, the charge remains a parochial one, and the poorest districts, already crying out against the pressure of the rates, may be tempted to neglect their duties. On the other hand, if the charge were made an Educational one, it would be spread over the whole area of the local Education authority. But nobody, I should imagine, can believe that this scheme is likely to be final, even if the objections to it in its present form are removed. It is inevitably but a step towards the feeding of all public-school children by the State, at a cost which would be borne mainly, of course, by the parents, but partially by the community at large.

Again, the Aliens Bill was carried through its second reading on May 2d by a majority of 152. But, on reflection, I am not quite sure whether that should be quoted as an instance either of the political power of Labor or of the increasing absorption of Parliament in questions of social reform. Mr. Keir Hardie, who is the leading spirit of the Independent Labor Party, announced a few days ago his intention of opposing it in Committee. "All the facts at present," he said, "went to show that the alien question had been manufactured by a party for party purposes." This statement was made, not in the House of Commons, but before the delegates of the Independent Labor Party at their annual meeting, and by them it was warmly cheered. Mr. Hardie went on to say that, during the Committee stage of the Bill, he would move that "no Bill dealing with the alien question could be ac-

cepted as satisfactory which did not make it illegal for aliens to be brought to this country to take the place of workmen during a trade dispute, or for employers to employ aliens except at the trade-union rate of wages." I need scarcely say that there is no chance of the Committee's adopting either of Mr. Hardie's amendments, but his criticisms of the Bill are none the less interesting and pertinent. He is particularly near the mark in saying that the alien question has been manufactured by a party for party purposes. Had he said "used" instead of "manufactured," he would have been absolutely correct. There was no need to manufacture the alien question; it already exists; and in the East End of London, or at any rate in sections of it, it has led, as I endeavored to show in a previous letter, to a considerable displacement of the British population, to an intense and inhuman industrial competition, to overcrowding, "sweating," a lowering of the standards of decent living, and the influx of a number of undesirables who come upon the rates and fill the prisons. The feeling about this evil in such districts as Stepney and Whitechapel is not so very far below the intensity of Californian feeling over Chinese immigration. But one must discriminate. The alien the East-Ender objects to is not so much the criminal, the pauper or the "undesirables" of both sexes, as the hard-working, sharp-witted, thrifty and ambitious competitor. But to keep him out is to keep all aliens out. It is, in effect, to say that no Russian or Polish Jew shall be permitted to land and live in England; and that is an extreme to which no British Government is ever likely to advance. The supporters of the Aliens Bill are, therefore, in a dilemma. They wish to appear as the protector of the British working-men against the competition of foreign immigrants. But the Aliens Bill which they have actually introduced is directed, not against those whose competition is really formidable, but against paupers, criminals, the diseased and the vicious—in short, against those whose capacity to compete with British labor is virtually negligible. The Bill will do nothing to prevent overcrowding or "sweating," or to soften the edge of industrial competition. I doubt, indeed, whether it will lead to the exclusion of more than a few hundred "undesirables" a year. "It is an affair," as "The Daily Chronicle" justly remarked, "of public health and police, not of economics"; and Mr. Chamberlain's attempt to trumpet it abroad as a measure for

the defence of the British working-man against underpaid labor, and to argue that its logical sequel should be a Bill to exclude the goods made by such labor in other lands, marked, I think, the lowest depths of disingenuousness to which even he has yet descended. The Bill simply makes arrangements which, while preserving England as an asylum for political refugees, aim at the exclusion of paupers and the mentally, morally and physically unfit, and at the transportation and expulsion of such aliens as may prove a burden to the rates or may be convicted of criminal offences. In other words, it touches merely the fringe of the alien question; nor am I sure that it touches even that much in a practical way or that the machinery it proposes to erect will prove adequate to its task. What, however, is indisputable is that it will do nothing to improve industrial conditions in the East End. Its supporters know that it cannot have any such result, however much they may find it politically convenient to mislead their constituents into believing that it may. On the other hand, as a measure of self-defence against the dumping of human rubbish on these islands, its purpose makes a wide appeal to the common sense of the nation and of both political parties.

But, if it is stretching a point to ascribe the Aliens Bill to the influence of Labor, there can be little question as to where the origin of the Unemployed Bill should be sought. It may be remembered that last autumn, when there was every prospect of a winter of exceptional distress, Mr. Long, then the President of the Local Government Board, made an attempt to unify and bring into cooperation all the agencies of charitable relief in London. In each of the twenty-eight boroughs into which London is divided, a joint Committee was formed from the local Borough Council and the local Board of Guardians to work in consultation and harmony with the parochial and charitable associations of the neighborhood. Thus a unity of aim and method was secured in each district. The next step was to apply the same principle of unification to all the districts. This was done by the creation of a Central Committee which undertook a general work of direction, supervision and allocation of the funds that were raised by voluntary subscriptions. The scheme worked on the whole fairly well, though it was greatly hampered by the refusal of some of the wealthier Borough Councils to contribute. The present Bill proposes, in effect, to make what was provisional and

voluntary in the scheme permanent and statutory. The local committees are to be permanent bodies, and the Central Committee likewise is to be permanent. The Central Committee will have power to levy a rate of one halfpenny in the pound—rising by special permission of the Local Government Board to one penny —over the whole administrative area of London. As a penny in the pound yields about $900,000, it will be seen that there is nothing to prevent the proposed Central Authority from spending something like $450,000 a year in the relief of the unemployed. The duty of the local bodies will be that of sorting over the applications, dividing the genuine unemployed from the unemployable, and doing what they can to *find* work for the former. The Central Authority alone will be empowered to *provide* work, and the only kind of work it will be permitted to provide will be work on a farm colony.

Such, in brief, is the scheme. It has one vital defect. While the provisions of the Bill are compulsory in London, they are optional outside of London. Thus London will be compelled to start special machinery for dealing with the unemployed, with special rating powers, but neither the County nor the Borough Councils in the provinces would be obliged to follow suit. That could only mean in practice that London would become a magnet to draw all the unemployed, all the unemployable, all the tramps and wastrels in the kingdom. They will flock in thousands to the metropolis to get a share in the good things going, and convert London into a clearing-house of all the destitution and most of the rescality in the whole country. If the Bill is to become law at all, it is argued, it must be made equally operative throughout the kingdom, and each administrative area must be compelled to provide for its own unemployed. But it is not on this point alone that the Bill is attacked. The restriction to a halfpenny and even a penny rate is denounced as wholly futile, and the idea of confining all the employment provided to work on a farm colony is scouted as impracticable. Once it is admitted that the unemployed have a right to look to the community for work, then work will have to be found for them at whatever cost, and as the vast majority of the unemployed are unskilled urban laborers of almost every trade and occupation except agriculture, it is clear that a farm colony will scarcely meet their needs. I need scarcely say that the whole principle of the measure—that

it is the duty of the community to provide work for the temporarily unemployed—is an entirely novel one in English legislation; that it is fiercely disputed; that it is still more fiercely disputed because the Bill does not propose to disfranchise those who accept the employment thus offered; and that there are many who believe that, if it is ever carried into effect, the Bill will not only create paupers, but prevent them from being anything else but paupers.

There is, however, one party that heartily accepts it and is only concerned in strengthening and extending its application. That is the Independent Labor Party. That this party is the nucleus of what will one day prove a mighty organization must, I think, be evident to all observers of English politics. It is, therefore, interesting to consider the main lines of its policy as laid down a few days ago at its annual meeting. The delegates present passed resolutions in favor of providing free meals for school children and of giving municipalities power to undertake such enterprises as the public supply of coal, bread, milk and dairy and farm produce. Other resolutions condemned the Chinese Labor Ordinance, the treatment of Post-Office and other Government employees, and the War-Office mismanagement of contracts in South Africa. Besides this, the Independent Labor Party declared for a complete scheme of decentralization (including, of course, Home Rule), for the payment of Members of Parliament, for adult suffrage for both sexes, for local control of the drink traffic and for a national treatment of the unemployed question. These, however, are the stock items on every Labor programme. But what was really novel in the proceedings of the Independent Labor Party was the contempt it showed for official Liberalism. It adopted a motion forbidding members of the Party to speak under the auspices of the Free-Trade League, not because Labor favors Protection, but because Labor is determined not to be merged in Liberalism, but to play the old Nationalist game of complete independence, tempered by occasional alliances for particular objects. That is a significant sign of the times. There is, indeed, no question of English politics more momentous than the future relations between Liberalism and Labor. Trade-Unionism, which in theory is the antithesis of Socialism, is developing on Socialist lines; the proletariat is just beginning to show some consciousness of its political power and

of the strength that organization brings; the next Liberal Cabinet will undoubtedly contain at least one representative of Labor; and though the Labor men in the House of Commons are few, have no real leader and show none of the Irish instinct for Parliamentary warfare, they command an immense following in the country, and are, I believe, destined to prove the controlling element in the new Liberalism. Already the municipalities have fallen largely into the hands of the working classes, and their policy and enterprises show a progressive leaning towards Socialism. It cannot be long before Parliament takes a decisive hand in the movement. Compared with that prospect, all the minor incidents of this or any other month—Lord Kitchener's "strike" for a greater official freedom, Mr. Balfour's latest effort to find a platform on which all Tariff Reformers may unite, the chances of a General Election, which some people are confident cannot be postponed beyond June—are merely the happenings of an hour.

ST. PETERSBURG, *May, 1905.*

"TIME and tide wait for one man" would seem to be the maxim according to which 140,000,000 Russians are now being governed; and the one man, although a hereditary ruler, can hardly be said to be a born leader. Neither, unhappily, would he seem to be the friend of those who are. Hence, in the methods of the Government, there is little evidence either of statesmanlike intelligence or set purpose, and ministers pursuing aims which are often mischievous sometimes adopt the only measures calculated to defeat them. Thus one day a step is taken in the direction of popular liberty; another day, a recoil is made towards mediæval absolutism, or, what is more noticeable still, a principle is solemnly laid down by the monarch himself for carrying on the nation's affairs, and his ministers thereupon set about realizing it by means which, far from efficacious, are positively antagonistic. And that is a fair description of the latest phase of the tragedy of cross-purposes from which all Russia is suffering. A number of grievances were bitterly complained of by the press, and nearly all sections of the nation at once supported the demand for their redress. The Emperor, however, publicly stigmatized the would-be reformers as seditious demagogues, denied the existence of the wrongs, the need of reform and also the fact that the

people had any wish for change. But when petition had become remonstrance and remonstrance bordered on revolt, he expressly admitted all that he had previously called in question, generously undertook not only to remove the abuses, but to abolish their causes; and exhorted his subjects, especially pressmen, to assist him in the arduous task. And immediately after that came ministerial circulars, government communications and measures of police repression, all of which ran directly counter to the Tsar's specific promises. That is what was done with the workingmen's demands and with the petitions of the doctors, the zemstvos, the press; and, since my last letter, it has been suddenly and ruthlessly applied to the peasants.

The peasantry constitute about eighty per cent. of the entire population and number over 100,000,000; and the terrible danger of the present situation lies precisely in their suddenly taking things into their own hands and attempting to right their wrongs by force. Agrarian disorders on a large scale would be an appalling scourge. The men who know rural Russia best, experienced members of the zemstvo, like General Kouzmin-Karavayeff, Prince Schakhoffskoy and M. Petrunkevitch, who are in close touch with the mujiks, state with trepidation that, unless very speedy remedial measures are applied, the peasantry may rise and sweep everybody and everything before them, destroying liberals and conservatives, wiping out the good institutions together with the bad, and obliterating every vestige of culture in their way. Such an elemental movement would exceed in destructiveness and horror the *Jacquerie* of the French peasants, who, at the close of the war with England in the middle of the fourteenth century, rose up against the well-to-do people, reduced hundreds of castles to ashes, put noblemen to death with refined accompaniments of bestial cruelty and turned a vast stretch of land into a wilderness of ruins. For the Russian peasants are more numerous than was Jacques Bonhomme, more violent, less amenable to reason.

A picture of the Russian peasant's daily existence, as it really is, would shock the average American and anger those who respect the dignity of manhood. Here is a scene taken exactly as it unfolded itself to the spectators' gaze: The land superior—who is always a magistrate, as well as an administrator—of the Kherson District, wishing to punish a peasant named Shkoda,

sent a summons to him, which was delivered to the man's namesake, V. J. Shkoda. The wrong man consequently left his house and village, appeared before the land superior, explained the mistake and was of course discharged. In spite of this, he was again called on to answer the charge after a couple of weeks had elapsed. He then pleaded that it was all a mistake, a mistake already recognized by the land superior, and that his namesake was probably the person wanted. But the authorities, deaf to his explanations, sent the police to take him by force, and then despatched him, along with criminals, from forwarding prison to forwarding prison in clanking iron chains to the town where the tribunal was situated. And for over three weeks that innocent man was kept in prison awaiting his trial. Brought before the court, the blunder was revealed in a few minutes, and V. J. Shkoda heard the words: "Go back to your hut, you . . . . scoundrel; you are not the criminal." The ejaculation was uttered by M. Ingoostoff, the land superior, one of the official class created by Tsar Alexander III to act "as parents towards the helpless peasants." Filial love is not the sentiment which the peasants, no longer quite helpless, cherish towards these "steppe fathers."

Again, the tiller of the soil has far too little land for the needs of himself and his family, and the produce of that little is taxed exorbitantly. On the other hand, he sees round him square miles of excellent black loam or other fertile soil lying fallow. Whose is it? He cares not whether it belongs to a private landowner or the Crown. "The Tsar's?" he replies to those who tell him he must not covet what belongs to the Little Father. "The Tsar's? Well, and we peasants are also the Tsar's. It will be good for us, and for the Tsar, and for everybody, if we turn that fallow land into yellow corn-fields. We don't want to rob the Crown, or the squire, or anybody else. We'll buy it. But let whoever owns it sell it on reasonable terms. But we cannot and will not let it lie fallow for years and years while we are starving for want of bread."

How heavily the burden of taxation weighs upon the husbandman, nobody who has not lived in the country can realize. For there are shades and hues and forms of misery which cannot be painted in words, because the onlooker is himself hardly conscious of them as they pass through his senses and contribute to produce a deep impression on his mind. The official zemstvo data,

however, give one a fair notion of the way in which the Russian husbandman is pinched and pressed, while the intelligent classes are pampered and privileged by the Government. A peasant's family consisting of three persons able to work and of three children pays yearly to the treasury in duty on 12 lbs. of tea, $5 74; in excise on 1 1-3 stone of sugar, $3 40; on 108 lbs. of petroleum, 95 cents; for a case of matches, $1 59; for a jar of vodka, $6 70; in duty on various articles bought throughout the year, $2 64; redemption tax for three shares of land, $23 41; to the clergy, $13 20; sum total, $57 63. That is an enormous sum for the family of a peasant to scrape together, even when he spends his winter months working in steel-yards or cotton-mills.

This state of things cannot last; yet the war, with its vast demands, has made it very much worse. The cholera, too, is expected to intensify the fears and aggravate the sufferings of the rural population, and foresighted people announce the coming of a cataclysm.

Russia's best men are become prophets of evil in the hope of doing good. General Kossitch, for example, who for many years was a successful governor of a province and is now commander of the military district of Kazan, stated publicly a few days ago that "agrarian reforms are imperatively needed at once. Unless they are bestowed and without delay, Russia is threatened within a month or two with horrible deeds of blood."

The Tsar has been aware of that danger for some time, and when the impression was still deep he did the best he could to ward it off. Last Christmas day, he issued a Ukase promising full rights to the tillers of the soil "by merging the laws which relate to the peasants in the general legislation of the Empire." Witte thereupon took the matter in hand; his own scheme of agrarian reform, a system marked by simplicity, thoroughness and vitality, was to be embodied in law, and by a stroke of the Imperial pen the peasants were to be freed from the bonds which have continued to hamper them ever since they ceased to be serfs. The work of formulating the measures was being carried on by a special Commission under Witte's guidance. This body had collected, sifted, classified and published the views of the peasants themselves, as well as of the most distinguished specialists—eleven thousand opinions in all. The Commission was about to hold its penultimate meeting to concert measures for enabling the mujiks

to purchase more land; Professor Postnikoff was to read his report on a certain day, and late, very late, the night before, the Commission was dissolved forever by the Tsar.

What had happened was this: The all-powerful head of the Most Holy Synod, Pobiedonostseff, had resolved, for reasons which will appear later on, "to render the Russian Mirabeau harmless." And with the help of the *crème de la crème* of the Autocratic party he succeeded. This party, of which nothing has ever yet been written, is composed of men who include Count S. Scheremetieff, the friend of the Emperor and Empress; Prince Putyatin, the factotum of the Empress; M. Stürmer, a candidate for the Ministry of the Interior, on whose shoulders the mantle of Plehve is supposed to have descended: a landowner of the nobility named Pavloff, who would, if he could, reintroduce the state of serfdom abolished by Alexander II, and several others. One of these persons, whose name it is needless to mention, had the subject of agrarian reform explained at length to the Tsar, and the urgency of adopting energetic measures brought home to him. Thus, His Majesty was informed that the peasants had risen in twelve or more provinces, had burned manor-houses, cut down timber, removed boundaries and taken private land. They had received and distributed proclamations announcing the impending division among the people of lands belonging to the Crown and to private proprietors. And all these lamentable errors of the peasantry were, it was alleged, the work of Witte, and could be stopped only by removing the entire question from his care and dissolving the special Commission of which he was the President.

The Tsar was naturally alarmed, and the spokesman of the clique took care to intensify his apprehensions. Haste, he urged, was peremptory; the symptoms must be treated like an incipient conflagration. And His Majesty assented. After a lively discussion, the conspirators carried their point and got Nicholas II to act. A special messenger was despatched to St. Petersburg to inform all whom it might concern of his Majesty's orders, and to have the disintegrating Ukase of April 12th printed. And, quite unexpectedly, S. Y. Witte, the President of His Majesty's Committee of Ministers, and Chairman of the Special Commission for the study of the needs of the peasants, learned that he had been dismissed from the chairmanship of this latter body, and

that the Commission itself had been dissolved; on the other hand, ex-Minister Goremykin, a bland nonentity, was surprised to find himself gazetted as the chairman of a new agrarian commission which would be created a few days later and would begin its studies *da capo*. S. Y. Witte was, it is alleged, "greatly displeased," and there would seem to be some grounds for the statement. He had served the Tsar devotedly and well. The war, dear to the heart of the Emperor, was being waged on the money hoarded by Witte. Yet that Minister had been publicly slighted in a way which an English maid-of-all-work would vigorously resent. As for the peasants, they were informed that landed property would be safeguarded from every design upon it, and that all the men of a village would be held jointly responsible for damage done.

Many loyal Russians regret that the Tsar should deal so autocratically with his one statesman, his many ministers and his countless people. That the ex-Finance Minister should be harshly dealt with is, perhaps, unimportant. He is only a statesman. The other advisers whom the Tsar himself called to his Council might have been consulted on the subject with profit. The disregard with which they were treated two years ago led unavoidably to the war with Japan; and the contempt now displayed towards them may lead to a civil war of a much more terrible character. As for the people, who have never been treated differently, they are not surprised, but only impatient at it all, having ceased to believe in ukases, rescripts and manifestoes. But their impatience is the most dangerous element in the situation.

Witte, too, is deemed a disturbing factor in the Russian Empire, and the policy of the whole Tsardom is modified just to anger him. He is President of the *Committee* of Ministers and would, it is rumored, gladly resign if he dared, but he is not allowed to go. However that may be, it is certain that, in order to avoid coming into contact with him, the Tsar transferred the questions in which he was himself interested to another slightly different body, the *Council* of Ministers, under his own Presidency, making Count Solsky Vice-President. Merely to shun Witte! And now eighty per cent. of the population of Russia have been either condemned to suffer indefinitely or stung to aggression against the other twenty per cent. of the population, in order solely that Witte might be humiliated. The American

reader may get a clearer idea of how suddenly, secretly and vigorously the court conspiracy was hatched and carried out, when he is told that none of the Tsar's Ministers was consulted or even informed of what was going on behind their backs. The accomplished fact was sprung upon them all without warning. Even the Grand-Duke Alexander Mikhailovitch—nay, the Tsar himself—had no suspicion of what was coming. For on Wednesday, April 12th, there was an important sitting of the Commission, and it was settled that there would be another on the following Saturday. As late as Thursday at noon, the Tsar sent to the Privy Councillor Shipoff, the Secretary of the Commission, an imperial ukase appointing the Grand-Duke Alexander Mikhailovitch to be a member of the Commission. Two hours later, however, Shipoff received another ukase dissolving the Commission, scattering its labors to the four winds of heaven, and chastising Witte for—the sake of a court clique.

Thus the Russian peasants are being trifled with, just as the Japanese Government was played with by the Autocracy shortly before the war. From day to day, from month to month, the Mikado's Ambassador, Baron Kurino, was put off, now on one frivolous pretext, now on another, until one day he presented a note breaking off the "futile negotiations," and transferring the issues to the battle-field.

Something analogous bids fair to occur in the interior of Russia. The whole system by which the peasants are, so to say, drugged, blinded and enslaved has been condemned by the zemstvos, the nobility, the professors and the journalists—in a word, by all Russia. Then the Tsar himself unwillingly but solemnly endorsed the view of his people, and condemned the system utterly. Yet he will not allow something better to be put in its place, although he even cannot preserve the old edifice now. It is tottering to its foundations. Shortly, there will be nothing left of it: but neither will there be anything set up in its place, because all serious efforts to build up another system are being thwarted, and thwarted by court conspirators who, in the Tsar's own palace, scheme in his name and with his assent, but assuredly not to his advantage.

The story of Church reform, which is typical, ought to be fairly well known by now. Like every other liberal reform, its history is bound up with Witte, who strove to embody, not indeed

liberty of conscience, but the principles of mild toleration, in a number of propositions which were to be afterwards formulated by lawyers and entered on the Statute Book. The gist of them is that members of the Orthodox Church, who, down to last Easter Sunday, could not forsake their creed with impunity, may do so in future provided that they join a Christian sect. The necessary sequel to this and kindred innovations was a reform of the government of the Orthodox Church itself, which, so long as it remains the mere handmaid of the State, cannot compete with any of the great religious communities, all of which are free. Therefore, Orthodoxy ought to be ruled by its own members, and not by the civil functionaries; and Witte, having made this quite clear to the Tsar, was requested by him to draw up a scheme of reform for the Orthodox fold. The statesman willingly accepted the task, and discharged it rapidly and well, proposing mainly two measures: first, that the State should remove its heavy hand from Orthodoxy, and, secondly, that a purely ecclesiastical council be convened to discuss the needs of the Church and the ways and means of satisfying them.

The Tsar was ready to approve both these reforms, when Constantine P. Pobiedonostseff, then ill, heard of the latter scheme, besought the Most High to frustrate it, and then proceeded to hear his own prayer. He went cautiously to work, not disapproving what was done, but rather encouraging those ecclesiastics who were minded to to go farther—and they went farther, too far, indeed, just as he had expected them to do. They asked for the restoration of the Patriarchate of the whole Russian Church —a dignity which has not existed since the days of Peter the Great; and they requested the Tsar to summon a council without delay to elect the dignitary. Then the "wily old Jesuit of Orthodoxy," who had signed his own name together with those of the bishops, wrote to his Imperial master strongly advising him not to accede to the hasty, injudicious and dangerously radical demands of the episcopate. The bishops and archbishops who to-day wanted a Patriarch might, perhaps, to-morrow ask for a republic. Nicholas II, alarmed, promulgated a short, sharp refusal. Orthodoxy was to remain dragged down by her secular fetters and gyves. Sectarianism, too? people asked. Assuredly, men answered; for were it otherwise, if the penal laws were to be abolished which keep the sects from decimating the ranks of Orthodoxy, the con-

dition of the State Church would become critical and alarming. And as the Tsar will do nothing to harm his own Church, they argued, both projects drafted by Witte will be shelved.

But, on Easter Sunday, an Imperial ukase was published, striking the fetters off the sectarians, and leaving the Orthodox Christians bound to the State like the wretched criminals whom Mezentius had strapped to a corpse. Henceforth non-conformists can freely convoke their own councils when they like, appoint their worthiest clerics to archiepiscopal and episcopal sees, and take all other measures which they deem necessary for the welfare of their religious community. But two or three bishops of the Orthodox Church may not assemble anywhere, without the permission of one civil functionary, and the presence of another during their discussion. It is one of these civil servants, and not the Church, who appoints dignitaries and removes them. In like manner, important sermons cannot be delivered, in any Orthodox cathedral, which have not first been read and approved.

But, after all, the mistakes made by the Autocracy in the ecclesiastical sphere will not profoundly influence the affairs of this world. Hence they are interesting chiefly as symptoms. They show that not only statesmanship which is a genuine luxury, but average intelligence and will which are primary necessities, of good government are absent from the administration of the Tsardom, and that the vast Slav nation of 140,000,000 is governed by fitful vagaries. Whether, as many Russians reluctantly believe, one of the results of this arbitrary misrule will be a tremendous upheaval by the peasant Enceladus, a catastrophe which will leave traces on all future stages of culture, and give its name to all civilized languages, time alone can say. *Qui vivra verra.*

ROME, *May, 1905.*

"I AM convinced that not only with regard to the railway employees, but in all and in every branch of the Administration, the authority of the State needs to be strengthened, and this is what I intend to accomplish; but it is not the work of a day, as we can take only a step at a time." This statement, made before the Senate by Signor Fortis, the new Premier, shortly after he had assumed power and while the railway strike was going on, is sufficiently eloquent to give, at one and the same time, an idea of

the internal situation in Italy, and of the programme of the new Cabinet. It is, in other words, a repetition of what half a century ago Massimo D'Azeglio, patriot, novelist, painter and politician, who was Premier under the great Victor Emanuel, said: "Now that Italy is made, we must make the Italians." The two statements mean that, although twenty-five years were spent in the struggle for the unity and independence of Italy, and thirty-five more have passed since the taking of Rome, such a period is totally inadequate to make those who govern and the people, morally, intellectually and politically, equal to the new conditions of their country.

In less than fifty years, Italy had to do what other nations accomplished gradually in the course of centuries; so, notwithstanding all possible energy in the rulers and the bearing of heavy burdens under the form of taxation by the people, the means have not always been sufficient to reach the proposed aim. She was almost totally without modern ways of communication; in many parts of the south, the rivers were without bridges; and the only means of conveyance were carts drawn by oxen, nor were any diligences as yet running. To repair such a deplorable state of things, 10,000 miles of railway were built, which are still insufficient. Compared with the area of the country, Italy has, in fact, only about one-half of the mileage of the lines of other European nations, and only one-third of those of Belgium, not counting, of course, Russia, Spain, Portugal and the Balkans, which are still more backward in this respect. This state of inferiority, together with the large amount spent in a short time to build the network of railways, has hampered their activity, so that they still represent a deficit of $28,000,000 yearly. Notwithstanding this, the railway employees, although not paid as much as abroad, may be called, considering the average wage in Italy, one of the comparatively well-to-do classes. However, taking advantage of their organization, of the indispensability of their services, and of the serious damage which results from a suspension of railway traffic, they have constantly succeeded in obtaining further advantages, the last and most important having been that secured in 1902, when Government and companies granted an appropriation in their favor of 4,000,000 dollars to be spread over three years, to be increased later to 3,600,000 dollars yearly.

Encouraged by this success, the railwaymen thought themselves

invincible, and scarcely three years had passed when they demanded new and more important concessions, directed chiefly to an increase of their pay, amounting to 20,000,000 dollars, and the acknowledgment of their right to combine and to strike. In their agitation they were pushed and supported by all the subversive elements, especially by the revolutionist section of the Socialists, who wished to take their revenge for the complete fiasco of the attempt at a general strike last September. In this movement they despised the advice to be moderate which came from the most enlightened men even of the extreme parties, and assumed an attitude of open defiance of the authority and power of the State, and of the interests of almost all classes of citizens, including those whom they desired to have as allies in a general strike. They entirely mistook the situation and the conditions they had to contend with. The general election, to which Signor Giolitti had the ability to have recourse immediately after the excesses in the attempt at a general strike, returned a Chamber more conservative than the former, whilst the people remained adverse to any efforts to disturb public order. These conditions, in which the railway strike was prepared and proclaimed, even influenced about one-third of the railwaymen themselves, who did not abandon their work; while Parliament passed the bill for the resumption of the railways by the State, almost without discussion, including the articles forbidding strikes and punishing strikers, which under normal conditions would not have been approved, on the ground that it would prove of no practical utility. All the other classes of workmen refused to join the railwaymen in a general strike, so that the latter resumed work just at the time at which Parliament approved the very bill for the presentation of which they had struck.

The same unpreparedness may be noticed in foreign policy, in which, however, Italy has acquired lately greater weight, due partly to her position, partly to events independent of herself. Even the Papacy, that during the Pontificates of Pius IX and Leo XIII was depicted as the "internal enemy," has been made use of to the advantage of present institutions, as although the statement made in the November number of the NORTH AMERICAN REVIEW was denied—that the meeting between Signor Giolitti and Count von Bülow at Homburg had also the object of obtaining, through the influence of Germany, that the Holy See should

tacitly allow the Italian Clericals to participate in political contests—it is a fact that the Clericals, for the first time since 1870, not only voted, but even elected some of their representatives, while the choosing of a considerable number of candidates was discussed, through intermediaries, between the Government and the Church authorities. The result was the election of a Chamber which is the most conservative we have had, since the Conservatives, for the first time, went out of power in 1876, and which will certainly strengthen the tendency in favor of Italy's remaining bound to the Triple Alliance, which, in the eyes of the less Liberal elements, is not only a feature of our foreign policy, but also a guarantee against too democratic internal movements. Still what a difference between the situation at the beginning of the Triple Alliance, when Italy, fearing an attack from France, had to make advances to be admitted, and now, when she is implored to remain! And what a difference also in the conditions to be fulfilled by the Peninsula! When Marquis di Rudinì renewed the alliance in 1891 Italy pledged herself, in case France should attack Germany, to send two divisions of troops, through the Tyrol, to fight on the Franco-German frontier. Any such condition was suppressed in the last renewal of the Alliance, in 1902, which contains no clause that may sound hostile to France or to any other country. The weak point of the Alliance is the relations between Italy and Austria, and this is why the meeting at Venice, on April 29th, between Count Goluchowski and Senator Tittoni, aroused so much interest. The dislike of Austria is innate in all Italians, and is kept alive by Austria still holding two Italian provinces, Trent and Triest, and by her continuing there the system which led to the loss of the Lombardo Venetian provinces—that is to say, doing all in her power to suppress the Italian sympathies and nationality of the inhabitants, obtaining, however, as is only natural, the contrary effect, besides fostering the "irredentist" sentiment in Italy. She has constantly tried to Germanize the province of Trent; while, as for Triest, after having completely failed in the same attempt, she is now endeavoring to make it Slav. In reality, nothing has helped so much the unity of Italy as the attitude of Austria.

The problem which now remains urgent and important for the Peninsula is the defence of her interests in the seas which surround her, by preventing any further extension of the great

Powers along the Eastern coast of the Adriatic or in the Balkans, and by claiming that no other country but herself should succeed Turkey in Tripoli. Of course, the first part of this programme is entirely directed against Austria, or, at least, it is entirely with Austria that it has to be understood and settled. There was a period, during the existence of the Zanardelli Cabinet, in which Italy during the revival of irredentism, assumed almost an aggressive attitude against her ally, in view of the alleged intention of Austria to occupy the district of Novi Bazar, near the Servian frontier. Then the Italian grand manœuvres were purposely held near the Austrian frontier, and directed personally by King Victor Emanuel III, amidst such fiery enthusiasm that it recalled to the old veterans the days of 1848, in the first war against Austria. Contemporaneously, it was hinted that General Ricciotti Garibaldi, the only surviving son of the great hero, was ready with 10,000 volunteers for a dash on the coast of Istria, or into the mountains of the Tyrol, repeating the exploits of his father in 1866. Austria answered by massing 30,000 men on the Italian frontier, and out of all this came the first meeting between Senator Tittoni and Count Goluchowski at Abbazia, where the discussion led to the conclusion that Austria, although authorized by the Treaty of Berlin, would not occupy Novi Bazar, whilst Italy would not attempt anything against her neighbor. The meeting at Venice has completed the understanding between the two countries with regard to the whole Eastern question, in which Italy has gradually attracted into her sphere of influence Montenegro, Servia and Bulgaria. With regard to Albania, the coast of which is within sight of that of Italy, an understanding exists, initiated by Marquis Visconti Venosta and completed by Signor Prinetti, for the maintenance of the *status quo*. In Macedonia, Russia being distracted by the war with Japan, Austria had been acquiring too great preponderance, so that Italy has supported the proposition of England to extend the intervention of the other Powers to the finances of that region, whilst until now they had only participated in the reorganization of the gendarmerie, under the direction of the Italian General di Giorgis. Finally, another question which is again becoming urgent is that of Crete, in which Italy has a prominent part, as the International Committee deciding all Cretan affairs sits in Rome, under the Presidency of the Minister of Foreign Affairs.

In the Mediterranean there is only one region left where Italian expansion is possible, viz., Tripoli, which Italy considers it vital for her own interests should not fall into the hands of any other nation, as otherwise she would be, as they say here, suffocated in her own seas.

In 1901, Italy and France, coming to an understanding with regard to their reciprocal interests in the Mediterranean, agreed that the Peninsula should put forward no claims on Morocco, while France took the same pledge with regard to Tripoli, about the *hinterland* of which England and France had already concluded a convention on March 21, 1899. Therefore, Tripoli is the only spot left to Italy for an opening on the Mediterranean into the African Continent. But how will she get it? Considering her present relations with France and England, which are chiefly interested in the Mediterranean, and her position as member of the Triple Alliance, she would now meet with no opposition from any of the Powers, if, on a pretext which it would not be difficult to create, she should send a force to occupy Tripoli. Of course, Turkey would not only protest, but would make a desperate effort to defend the last vestige of her conquests in Africa. An armed conflict would thus necessarily ensue, which is just what the ruling classes in Italy wish to avoid, knowing how much the people, since the unfortunate war with Abyssinia in 1896, are opposed to any colonial enterprises, which have to be carried out by military operations. Italy's ideal would be not to occupy Tripoli at all, if she could have the certainty that no other Power would go there. This certainty being impossible, and Italy desiring not to have recourse to a military occupation except in an extreme case, the tendency now prevailing is to go to Tripoli not only in accord with the other Powers, but even with the consent of Turkey herself. Negotiations in this sense have been initiated, and are still proceeding, with the Porte, Italy proposing to convert Tripoli into a centre for some of her emigrants who amount to 500,000 a year, and to take over a portion of the administration of that region to insure the emigrants the safety of their lives and property and equitable justice, but maintaining intact the sovereignty of the Sultan.

In this way, without eliminating Turkey, Italy would be so established in Tripoli as to render its occupation by any other Power impossible.

WASHINGTON, *May, 1905.*

THE topics of chief importance from a national view-point that have been discussed in the Federal capital during the month of May have been—aside from the Loomis-Bowen affair, that, conceivably, might affect the reputation of our diplomatic representatives abroad—the President's avowed determination to insist upon clothing the Interstate Commerce Commission with power to regulate railway rates, in spite of the adverse position which the Senate Committee, headed by Mr. Elkins, has seemed inclined to take; and, secondly, his firm support of Secretary Taft in the declared intention to buy all supplies needed for the Panama Canal in the cheapest market, a declaration which seems likely to arouse strenuous opposition on the part of the "Stand Patters," as the inflexible upholders of the Dingley Tariff are called. The questions involved in the Bowen-Loomis controversy are, obviously, three. First, Are the charges brought against the First Assistant Secretary of State well founded? Secondly, Whether the charges were, on their face, justified or not, was Minister Bowen responsible for their publication in newspapers? Lastly, was Mr. Bowen simply performing a public duty, or was he aiming to gratify a private grudge, when he twice laid these charges before the State Department? The third inquiry may be quickly answered. Of course, a Minister is not expected to let personal animosity tinge his correspondence with the Secretary of State, or even to repeat to his official superior frivolous gossip that may be circulated in a foreign capital about his predecessor. If, on the other hand, the charges are serious, he is plainly bound to report them to the State Department. The second inquiry, also, need not detain us long. A Minister's whole duty is performed when he makes charges known confidentially to the Secretary of State. It, evidently, is not his business to comment on them in private conversation with foreigners, while, as yet, his official superior has reached no decision on the matter. To go further, and instigate the publication of the charges in newspapers, would be a gross breach of decorum, for which the only adequate punishment would be dismissal from our diplomatic service.

That the charges are serious there is no dispute, and it may be that Mr. Bowen can prove that he is guiltless of discussing them in private conversation, much less of revealing them to the public in advance of an official scrutiny. In that event, he will deserve

to retain the confidence of the Federal Executive; and, although he will not be sent back to Caracas, where he is known not to be *persona grata,* he will doubtless be transferred to some other honorable post. The question of grave importance to Mr. Loomis is whether the charges, which have unquestionably been current in Venezuela, have any solid foundation. There has been a widespread impression that the accusations were thoroughly investigated and dismissed by the President himself some time ago, when they were first communicated by Mr. Bowen. It is now asserted that the investigation was not thorough, but that the President confined himself to asking an officer of the Asphalt Trust, Mr. Avery D. Andrews, who had served with him as a member of the New York Police Board under Mayor Strong, whether his Company had ever given any money to Mr. Loomis when the latter was United States Minister at Caracas. Mr. Andrews is said to have replied in the negative, explaining that, for convenience in the matter of exchange, Mr. Loomis had merely exchanged checks with the Trust. Thereupon the President dropped the subject, and the rebuke to Minister Bowen followed. Subsequently, Mr. Bowen again reported the charges, but the State Department took no notice of them. The publication of them in newspapers ensued. For that publication, however, Mr. Bowen repudiates any responsibility. He further asserts that from the documents in the case, forwarded by him and presumed to be in the archives of the State Department, two of the most material are missing. One of these was a letter from President Castro to Mr. Loomis, and the other was an "assignment" made by Mr. Loomis to another man. It seems that Mr. Bowen brought with him from Caracas duplicate copies of the missing documents, and that he has been permitted by Judge Taft, who, it is well known, is acting as Secretary of State in Mr. Hay's absence, to put them in evidence. The outcome of the controversy is uncertain at the hour when we write, though we may take it for granted that, if Mr. Loomis succeeds in proving his innocence, the wrong of which he has been the victim will be redressed by promotion in the Government service.

When our last article was penned, it was evident that the Senate Committee on Interstate Commerce, over which Mr. Elkins presides, and which has been for some time sitting in Washington, had been pretty well convinced by the representatives of the rail-

ways that any such legislation as is projected in the Esch-Townsend bill is superfluous, and that nothing is needed to safeguard the interests of shippers against unfair discrimination beyond the zealous enforcement of existing laws by the Interstate Commerce Commission. At that time the President had not been heard from, for he was still engaged in hunting bears in Colorado. Scarcely had he emerged, however, from the wilderness when he announced, in a public speech, the purpose of adhering to the policy embodied in the Esch-Townsend bill. The purpose of the Administration was subsequently reiterated by Secretary Taft at the banquet of the International Railway Congress in Washington. The latter utterance was the more noteworthy because Mr. Stuyvesant Fish, who presided, had argued that the railroads were private property, that their owners had vested rights, and that those rights would be encroached upon unfairly, if the power to fix rates, or, in other words, the prices at which services were to be sold, were delegated to agents of the Federal Government. Judge Taft replied that, while railways are, in a sense, private property, the courts have always recognized that they are created for public purposes, which must, above all things, be subserved. He added that, inasmuch as the commerce of the country must be carried on over their lines, and because, in the nature of the case, there cannot be such full and free competition between railways as between manufacturers or merchants, no enlightened nation permits railroads to be managed as though they were exclusively private enterprises. The Secretary of War did not advocate the creation of a Government Board or Commission, authorized to fix in advance the tariffs of all interstate railways; but he did maintain that, where a particular rate is denounced by shippers as unreasonable, and is so held by the courts, the determination of what rate would be a fair one is practically inseparable from the decision that the rate complained of is unreasonable. What the Secretary demanded was what the President had previously called for—namely, a means of making immediately effective the Commission's decision that a specific rate is unreasonable, though he acknowledged that this decision should be subject to review by a court. This, of course, is a proposal very different from the assertion that the Interstate Commission should be authorized to fix rates generally; yet the President, speaking at Denver, warned his hearers that even this limited judicial func-

tion should be exercised by the Commission with great caution, and with due regard to the rights of railway shareholders, who, he called to mind, have lost hundreds of millions of dollars in constructing railways that did not pay. Mr. Roosevelt also cautioned his Denver audience against attacking railway companies on the ground that they are rich, or in a spirit of populism or socialism. The community at large, he said, should not overlook such rights of private ownership as the shareholders and bondholders in railway properties undoubtedly possess. Judge Taft also made it evident to the representatives of railways, with whom he foregathered at Washington, that he spoke as a friend when he suggested that they should acquiesce in some such measure of supervision as is embodied in the Esch-Townsend bill, lest worse should befall them at the hands of exasperated voters.

Though the Senate Interstate Commerce Committee, which has been examining the question, may report against the adoption of the Esch-Townsend bill, it is likely to suggest a substitute and will shrink from an attempt to organize the Republican majority in the Upper House of the Federal Legislature in defiant opposition to Mr. Roosevelt's railway policy. It is by no means certain that such an attempt would succeed even in that body. Many Western Senators are known to approve of the President's position on this question, and it may well happen that others will be instructed by their State Legislatures to support him. We can see no reason, either, why all Democrats in the Senate should not take a similar stand, as their political *confrères* did in the last House of Representatives. Apparently, no change has occurred in the views of Mr. Williams, the leader of the Democratic minority in the Lower House, or in those of Mr. William J. Bryan and other authoritative spokesmen of Democratic sentiment. The current of public opinion is flowing quite as strongly in favor of Mr. Roosevelt's railway programme as it flowed last winter, and it may be well for recalcitrant Senators to remember that the President will again have an opportunity of appealing to the voters, when he makes his Southern tour which is expected to precede the convening of the Fifty-ninth Congress on October 10th, the date now understood to have been fixed upon.

The friends of railway corporations are few compared with the champions of the Dingley Tariff. Even the members of the Cabinet are said to be divided regarding the expediency of carry-

ing out the plan proposed by the Secretary of War and approved by the President—the plan, namely, of purchasing the supplies needed by the Panama Canal Commission in the cheapest market, which, as it happens, would generally mean a foreign market. Judge Taft deems it his plain duty to act upon this principle, inasmuch as the Fifty-eighth Congress, though requested, omitted to legislate on the subject, and seems, therefore, deliberately to have left the matter to the Secretary's discretion. We presume, however, that no court of equity would hold that the Secretary's discretion would permit him to pay more for the Commission's supplies than he needs to pay. Such wastefulness would be especially inexcusable at this time when the Federal revenues already fall considerably short of meeting expenditures. Under the circumstances, Judge Taft would rightly feel it to be iniquitous for him to buy steam-engines, for example, directly from the American manufacturers, when those manufacturers are offering precisely similar engines in Europe at a greatly reduced price. How could he expect his accounts to be audited, if, without any positive mandate from Congress, he insisted upon putting in the pockets of American manufacturers the difference, often a wide one, between their home prices and their foreign prices for the same article? If the Fifty-ninth Congress choose to make American manufacturers a present of the people's money, let it do so openly, and shoulder the responsibility. That is an alternative which the "Stand Patters" would prefer not to confront. They would have liked the Canal Commission to buy quietly all of its supplies in the United States, and thus, while "keeping good money at home," avert any public ventilation of the subject. In view, however, of the upright and resolute position taken by Secretary Taft, with Mr. Roosevelt's cordial approbation, they will have to face the music, no matter how unwelcome and discordant it may prove. The members of the Cabinet who are said to be much annoyed at the projection of what they deem an inconvenient question into the forum of debate are Secretaries Shaw, Metcalf and Wilson. It is well known that Mr. Shaw has never given countenance to proposals for tariff revision. On the contrary, he has missed no opportunity for giving aid and comfort to the "Stand Patters," and it is no secret that he hopes to become their candidate for the next Republican nomination for the Presidency. It has been taken for granted that,

in furtherance of his aspirations, he would resign from the Cabinet before the next Presidential campaign, to give himself time to organize his canvass. As for his supposed coadjutors, Messrs. Metcalf and Wilson, they possess relatively little influence, personally or politically. On which side Secretary Morton may choose to array himself for the moment is, also, of trivial concern, inasmuch as, since he confessed himself guilty of giving rebates, and thus of violating a Federal statute when he was traffic manager of a railway, his retention of a place in Mr. Roosevelt's Cabinet has been generally pronounced morally indefensible, and his resignation is looked for at an early date. There is no doubt that Attorney-General Moody and Postmaster-General Cortelyou concur with Secretary Taft and the President in considering it the Canal Commission's duty, in the absence of legislation to the contrary, to buy its supplies where it can get them cheapest. The same thing is believed to be true of Secretary Hitchcock, and there is no doubt that Secretary Hay will take a similar position when he returns to Washington. Whether the Fifty-ninth Congress will ever enact a law expressly ordering the Canal Commission to make American manufacturers a free gift of the difference between the prices asked by them at home and the prices they willingly accept abroad for the same commodities, is, to say the least, very doubtful. Such a bill might possibly pass the Senate, which is the stronghold of the high protectionists, and in which the votes of Mr. Gorman, Mr. McEnery and some other Democrats might, conceivably, be secured. But how is it possible that such a preposterous measure could obtain a majority in the next House of Representatives? It is true that Mr. Grosvenor, one of the four engineers of the House machine, has come out flat-footed in favor of the project; but the Republican whip, Representative Tawney, may be counted upon to oppose it, and it is quite possible that, out of deference to the President, a similar position would be taken by Representative Payne. How Speaker Cannon will view the matter is, as yet, unknown; but it is scarcely probable that so sagacious a politician, who has Presidential aspirations of his own, would put himself on record as conniving at what the voters are certain to regard as a "rank steal" from the Treasury. As for the Democrats in the House, they are as likely to support the President on this question as they were to uphold his railway-rate programme in the last Congress.

MINNEAPOLIS, MINNESOTA.

The Falls of St. Anthony, marking the head of the navigable waters of the Mississippi River, with a latent force of more than one hundred thousand horse-power, formed a substantial foundation for the prosperity of a future great city. The slightly elevated and comparatively level plain leading away from the Falls on either side of the river made the spot ideal for the building of a town. With this strong foundation and upon this splendid site has grown up, practically within three decades, Minneapolis, a city of 250,000 inhabitants, and the manufacturing, commercial and financial center of the Great Northwest.

HOME OF THE COMMERCIAL CLUB.

Although the great water-power was discovered by Father Hennepin in 1680, it was nearly a century and a half before an attempt was made to utilize any portion of it. In 1821 a saw-mill was built upon the west side of the river at the Falls, to cut timber for use at Fort Snelling, a new government post about six miles below. In the next two years successful essays at farming on the Reservation were made by the soldiers, so the mill was equipped also for grinding grain. Thus this little mill, operated in only a small way, as its output was limited to the needs of the military post, became the precursor of the two industries which have contributed so largely to the growth and importance of Minneapolis—lumber-sawing and flour-milling.

The site was a natural and a strategical one for a city. To the north stood a great forest of timber. The Mississippi afforded inexpensive transportation for the logs down to the cheap power of the Falls, where they could be transformed into lumber to be sent on by the same highway for the use of settlers upon the prairies below. To the west and northwest stretched vast prairies with fertile soil, whose products could be brought to mill at the Falls and made into flour for shipment to the more populous districts of the East.

It was twenty-five years after the construction of this first mill that the advent of actual settlers began. In 1847 pioneers from New England, the advance-guard of the energetic, enterprising men who laid the foundations of the city, arrived at the Falls and settled upon the east side of the river. The west side, the site of the central business district of to-day, remained a government reservation until 1855, although it was occupied by a few settlers whose titles were later confirmed. The settlement upon the east side was called St. Anthony, and continued a separate corporate existence until 1872, when it was united to Minneapolis, the lusty young city which had sprung into existence on the west side, following the opening of the Reservation.

The interesting story of the development of the water-power at Minneapolis and of the growth of the city need not here be rehearsed, as the purpose of this article is to tell of the city as it is to-day, and to point to the conditions which indicate a still greater future. Suffice it to state that the first movement towards utilizing the water-power of the Falls was the construction, in 1847, of a dam across the east channel of the river, and this development has continued until forty thousand horse-power has been made available. This power is used by the flour-mills and other factories, as well as to generate the electric current for the trolley-car system of both Minneapolis and its sister city St. Paul. Below the present two dams the government is now constructing locks and dams which will not only afford more than ten thousand additional horse-power, but will make the river channel deep enough to float steamboats to the very heart of the city.

In 1872, only thirty-two years ago, when the two towns, upon opposite sides of the river, were united, the new city had a population of only 18,000. In 1880 this had increased to 46,000; in 1890 to 164,000, and in 1900 to 202,000. In the year 1900, the city directory contained 101,000 names, or one for every two of population shown by the census of that year. The directory of 1904 contains 123,000 names, showing, at the ratio which was proved correct in 1900, a population of 246,000.

Its advantageous situation, coupled with its natural power, made Minneapolis pre-eminently a manufacturing city. In the manufactures from the products of forest and field it has long since attained distinction as the leading city of the world; a position it has maintained. A half-billion feet of lumber per annum is approximately the output of her saw-mills, while the twenty-two flour-mills, clustering above the Falls, turn out sixteen million barrels of flour each year, with a capacity for production in excess of that enormous amount. The aim of the business-men of the city has ever been to encourage only such manufactures as were clearly appropriate to the locality by reason of the proximity of their raw materials. As a result, all the manufacturing plants of the city are such as can use raw materials obtained from the Northwest, or such as can most economically supply from this point the needs of tributary territory. The factories have therefore been uniformly successful. The Federal census for 1900 reported that the manufacturing plants in Minneapolis had $60,000,000 capital invested, employed 28,000 wage-earners, paid them $13,000,000 annually, and turned out a product valued at $112,000,000. Comparison with the census report of 1890 shows that in the decade there was an increase of forty per cent. in capital employed and thirty-five per cent. in the value of products, percentages of growth approximately double those of any of the other large cities of the Northwest. A continuance of this growth since 1900 is apparent. The two lines of manufacture showing the greatest increase, and in each of which there is still opportunity, are agricultural implements and wearing apparel, which can be brought here more cheaply in the raw state than as finished product.

More than ten years ago Minneapolis became the greatest primary grain market of the world, and during the succeeding years the position has been strengthened. Terminal elevators, the more modern being of steel or tile construction, have been built in the city with an aggregate storage capacity of forty million bushels of grain. Receipts of wheat alone are ninety million bushels a year. Within the last few years Minneapolis has become the chief world's market for

flaxseed and the chief center for the manufacture of linseed-oil. Minneapolis is also the leading market for all sorts of farm produce and for the distribution of fruits.

Tributary to Minneapolis is an extensive fruitful territory, comprising all of four States and parts of half a dozen others, which is being occupied by a thrifty class of settlers. Minnesota, the two Dakotas and Montana now have a population of fully three million persons, while their fertile, unoccupied land can easily support many times that number. The fact that Minneapolis is the market for the products of this great territory led to the establishment of leading jobbing houses in all lines, and it made the city the principal center for the distribution of agricultural implements.

NEW CHAMBER OF COMMERCE.

The position attained by Minneapolis as the leading manufacturing and jobbing center of the Northwest is largely due to its splendid transportation facilities. Nineteen lines of railway, operated as parts of ten great systems, radiate in every direction, reaching both oceans, and covering a territory nearly fifty thousand miles in extent. The city is the terminus of six of the seven railroad lines which connect it with Chicago, and the headquarters of the seventh. It is also the home of the Soo line and the division-point between its Atlantic and Pacific divisions.

That Minneapolis is to become the financial center of the Northwest is apparent. Bank clearings have shown a steady increase, and in 1903 they aggregated $741,000,000. Five national banks, eight state banks and three trust companies have capital and surplus of over $10,000,000 and deposits of four times that amount. The city possesses also four savings-banks, with depositors numbering 60,000 and deposits of $13 000,000.

The foregoing facts indicate clearly that Minneapolis has become a great, prosperous, growing city with well-established industries and with prospects for continued development.

Minneapolis is not only a great business center, it is as well a most beautiful residence city. Nature not only endowed the city with splendid advantages for manufacturing and commerce, but she gave it a healthful and picturesque site, whose advantages have been utilized by the citizens to create municipal charms which strengthen the devotion of its residents and excite the admiration of all visitors. The business center is most attractive by reason of the broad, regular streets and the substantial appearance of the business structures. But it is the residence districts, with wide, shaded avenues, bordered with pleasant detached homes in the midst of well-kept lawns and wholesome yards, that constitute the chief charms.

Over twenty-one years ago the people of Minneapolis planned a generous system of parks and parkways, and such progress has been made that the city now owns eighteen hundred acres of park area within its limits and has twenty-five miles of well-constructed parkways. Nearly every part of the city has its neighborhood park, varying in extent from two to twenty acres. In the southwestern part three charming lakes, each some three miles in circumference, form an attractive feature of the system. Driveways encircle these lakes, and a large area of their deeply wooded shores has been improved for park purposes. From Loring Park, in the heart of the city, Kenwood Parkway, two hundred feet wide, winds over the heights and connects with lake drives which present in their course most entrancing scenes, while from the farthermost lake a parkway varying from two hundred to six hundred feet in width follows Minnehaha Creek to where its waters "laugh and leap into the valley."

About Minnehaha Falls a park of one hundred and fifty acres is owned by the city, forming one of the most attractive features of the park system. Recently a long stretch of the beautiful banks of the Mississippi below the city has been acquired and driveways have been constructed along their summits. Citizens are fully awake to the value of park improvements, and they propose to secure the area essential to future needs.

Around Minneapolis, outside its limits, is a region of great natural beauty. Twelve miles west is Lake Minnetonka, one of the most beautiful lakes in the world, the summer home for thousands of Minneapolis citizens and for many from elsewhere. On the south, adjoining the city, lies historic Fort Snelling upon a government reservation of some twenty-five hundred acres.

The climate of Minneapolis is salubrious. The 1900 census gave Minneapolis the distinction of being the healthiest of the cities of the United States which have a population of over 200,000.

Notwithstanding the rapid growth of Minneapolis, public improvements have kept pace. The city has over one hundred miles of paved streets and one hundred and sixty miles of sewers and sewer tunnels. It owns and operates its own water-plant, with two pumping-stations, two reservoirs and two hundred and seventy-five miles of distributing mains. Water is obtained from the Mississippi above the city, pumped to the reservoirs and returned through the mains by gravity pressure. Although the water coming from the reservoirs is of good quality, the city now proposes to establish in connection with the storage basins a system of sand filtration recommended by an expert water commission, which, it is believed, will give an abundance of water unexcelled in quality in any city.

Minneapolis is well supplied with public buildings. It has twenty-one fire and three police stations, a well-established workhouse and a splendid city hospital, to which additions are annually being made in conformity to a plan for a completed structure of ample proportions. It owns fifty-eight graded and four high-school buildings, a splendid public library building and two branch library structures; a combined city-hall and court-house, built of native granite, with interior finish of marble, at a cost of $3,500,000, which occupies an entire square. The city, therefore, has something to show for its present indebtedness of $7,000,000, a debt small in comparison with that of most cities, as it is less than six per cent. of the valuation of the city as returned for taxation.

As further evidence of the prosperous conditions prevailing in Minneapolis, the following figures are emphatic: The receipts from stamp sales at the Minneapolis post-office in 1903 exceeded $1,000,000; there were 8,321 transfers of real estate for a total consideration of $13,811,346, while 8,107 building permits were issued for new buildings and improvements to cost $7,733,109. Of these permits more than eighty per cent. were for dwellings and apartment houses, although sixty-nine stores and office buildings and sixty-one warehouses and factories were included.

The early settlers of Minneapolis brought with them an exalted idea of the value of education, and at once laid broad foundations for a public-school system upon which their descendants have builded a splendid superstructure. The city justly boasts unsurpassed educational opportunities. Its graded school system, in which 38,000 pupils are enrolled, is surmounted by four free high-schools, while above these is the State University, with its complete college course, its agricultural school and its colleges of law, medicine, dentistry, pharmacy and engineering. The University buildings occupy a picturesque situation on the east bank of the river a few squares below the Falls. The student body numbers four thousand, and there are two hundred and ninety instructors. In addition to its public-school system, the city contains numerous private and parochial schools, commercial colleges, conservatories of music and an art school of high standing.

Closely allied to the educational system of Minneapolis are the library facilities afforded. As early as 1859 a library association was organized in St. Anthony village, the financial nucleus being derived from the proceeds of a lecture by Bayard Taylor. This association continued until 1885, when the municipality established a public-library system, which is one of its most popular institutions. The main library building is a beautiful structure containing 125,000 volumes and serving also as a museum and art-gallery. Three branch libraries and over a score of local delivery stations are maintained, and the annual library circulation reaches over a half-million volumes.

Minneapolis is truly a City of Churches. Nearly every denomination has one or more church homes in the city, many of great architectural beauty.

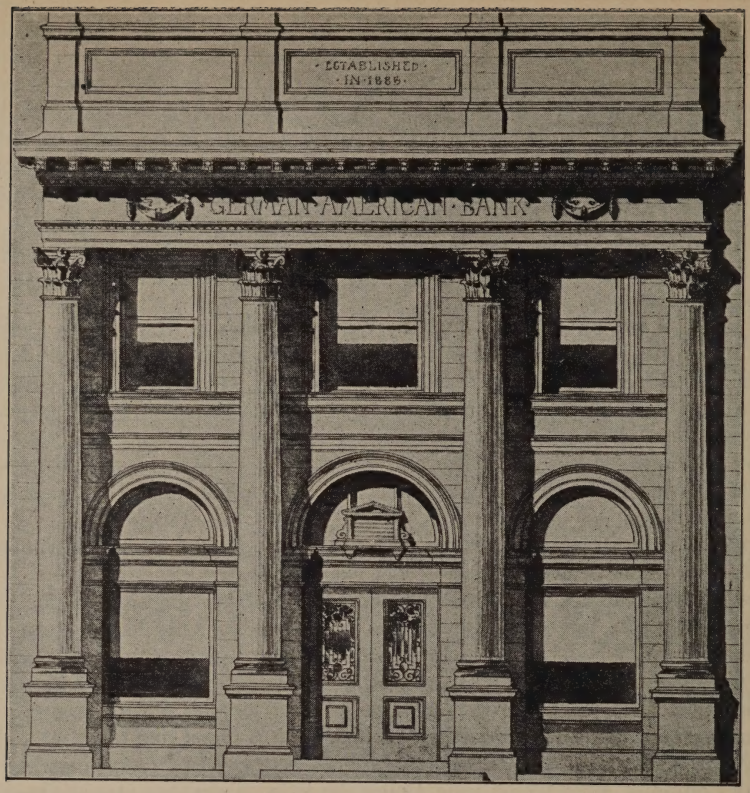
A review of Minneapolis would not be complete without mention of the street railway, grown since 1875 from a modest horse-car line about six blocks in length to a trolley system one hundred and twenty-eight miles long. By making extensions year by year and building new lines as the settled districts of the city expanded, the corporation has always been able to furnish adequate facilities. In 1889 the company adopted electricity as motive power, and with great energy proceeded to change over the system which then covered one hundred and fifteen miles of track. A few years later the Minneapolis Street Railway Company absorbed the St. Paul City Railway Company, since which time, under the title "Twin City Rapid Transit Company," it has controlled and operated the system of both cities and Stillwater, a total of two hundred and fifty-three miles.

That Minneapolis will continue to grow and hold its position as the leading city of the Northwest cannot be doubted. Vast areas of uncultivated land lying beyond will gradually be transformed into productive farms. Irrigation will turn thousands of acres of arid wastes lying farther west into fertile fields. For all this great territory Minneapolis is the nearest and best market, and where the people of this empire find the best market for their surplus products they will naturally purchase their supplies. Present factories and jobbing houses will grow and new ones will be established to supply their needs.

Minneapolis has always had a progressive business element, and much of its progress is due to the untiring efforts of its citizens. Never has there been a time in the history of the city when there was not at least one live organization of citizens for the promotion of its welfare. The Commercial Club is such a representative business organization of to-day. It has a limited membership, comprising over one thousand business and professional men of the city. It maintains handsome club-rooms, which afford all the conveniences of club life, and in addition thereto operates a bureau for the promotion of the city's highest interests, commercial, intellectual, social and moral.

With a population of a quarter of a million of people; with well-established industries; with a strong organization, awake to every opportunity that promises to strengthen the business of the city; with facilities for reaching vast tributary territory, Minneapolis seems surely destined to retain, through all the years, its position as the Great City of the Great Northwest.

W. G. NYE,
Secretary Public Affairs Committee.



GERMAN-AMERICAN BANK BUILDING.

NORTH MINNEAPOLIS.

The youngest, the most beautiful, and, at present, the most prosperous section of the city of Minneapolis is the North Side. Until very recent years, few residents realized the beauties and natural business facilities which abound in that locality; but to-day, since all the other sections of the city have grown and been developed almost to their greatest capacity, it is attracting by far the most attention from Minneapolis business and real-estate men.

North Minneapolis is essentially a location of homes, and more are owned by the occupants than in any other section of the city. It is this, coupled with the fact that once a family moves into the locality every member is well satisfied, that makes it so hard to secure a house for rent in the section, in spite of the fact that every year a remarkably large number of new houses are built.

In the early days the railroads militated against the section, cutting off the approach, or the high ridges and natural terraces reaching from block to block would have been the ideal locations of the first buildings of the more wealthy class of people. Since the viaducts have been built spanning the tracks, there has been a rush to the beautiful building sites of nature's provision, and to-day some of the most handsome homes in the city are found along the ridges. A view up Lyndale Boulevard from Twentieth Avenue north will show a sight beautiful in natural conformity. Looking up the well-kept street, terrace upon terrace of pavement shows the gradual rise of the avenue to the summit, where Farview Park lies, the most beautiful by nature of any park in the city.

This is not the only street remarkable for beauty. The fact that the North Side is a locality of homes is responsible for beauty on nearly all of the residence streets, and even the little

cottages in the poorer districts, with their picket-fences, boast their pretty little gardens. Everywhere are flowers. In the older resident districts of the city are seen the severe lawns without a break except a few hedges and towering trees, but in North Minneapolis the lawns are broken by little gardens of flowers which give color and brilliancy to the constant green that so often grows tiresome.

Working along a general scheme, people in the section have taken pattern by each other, and they have seen that it is possible to have their gardens and their good stretches of lawn besides. By putting their gardens along the house inside the stone walks, and then laying out ribbon beds at the edge of the lots, they get plenty of garden room and still keep their lawns intact in the center, unbroken by bush or shrub.

Roses are especially favored in this section. Climbers, tree roses and bushes are seen in great profusion, and as most of them are of the new, ever-blooming varieties, the section, in summer, is beginning to appear as one continuous rose-garden. Before man appeared in his homespun garb, the locality was the home of the wild rose, and the little patches of woods yet left virgin are still filled with them. But not alone in roses is the locality rich, for the residents take pride in their annuals and their hardy shrubs. Improvement begets improvement, and when one person begins to grow flowers the others follow, with the result that there are neighborhoods where every yard is vying with its neighbor to make a pretty showing.

Those who have been interested in the growth and development of North Minneapolis point with a great deal of pride to the rapid increase of business industries in the section. In this pride they are amply justified, for but twenty years ago there was not a noteworthy place of business in the whole locality. To-day the river-bank is lined with huge saw-mills, which make Minneapolis famous as the city of lumber, and numerous other industries, such as sash-and-door factories, boiler-shops, iron-foundries and brick-kilns. The sash-and-door factories are among the very largest in the world, the boiler-shops and the foundries ship to all corners of the globe, and the brick-yards are yearly growing larger. These are only a part of the many huge enterprises located along this territory, and still there are miles and miles of most excellent trackage facilities unutilized. Practically every great railroad which runs into Minneapolis has trackage on the North Side, and it is the most likely location for any future large industries which may come to Minneapolis.

There are in the locality two banks having deposits of over a million. The business streets are now well paved with vitrified brick or sandstone, and the merchants along them are prospering as never before, for they take great interest in their stores and each year present a more attractive appearance to their customers. Not a year goes by but what some stores enlarge and many new ones are started, for the residents of the locality take great pride in seeing their home enterprises flourish.

The North Side Commercial Club was organized for the purpose of promoting the welfare and social intercourse of this rapidly growing section. For years before the effecting of the organization last April there had been an underground current towards such a movement, for the business-men of the locality realized that such a rapidly growing section needed to be properly guided and carefully watched over.

The club is composed of all of the most representative business-men of the North Side and some of the most representative in the whole of Minneapolis and the great Northwest. It has in its short existence flourished as few clubs of the kind ever do, and there is no doubt that its purpose is being well carried out. Committees have been appointed to carefully look after all of the following departments: Club Rooms, Entertainment, Finance, Membership, New Industries, Taxes, Curb and Pavement, Roads and Bridges, Parks and Boulevards, Railways, Police and Fire, Health, Trade Interests, Water and Sewers, Lights and Education. The management of the club is invested entirely in a board of twenty-one directors, who hold monthly meetings and discuss carefully in the greatest detail the best interests of the locality. They are always on the lookout for improvements and new industries, and are prepared, so that any one thinking of locating on the North Side can obtain the fullest and most minute information.

NORTH SIDE COMMERCIAL CLUB.

REAL ESTATE IN MINNEAPOLIS.

Much has been said about the commercial beauties of Minneapolis, but not so much has been said about the city as a place of residence. Throughout the West there are thousands of men who for one reason or another are thinking of establishing new homes, and who are influenced by considerations often apart from those connected with business. Men with competences desire a suitable place to educate their children; others with wealth seek a home amid the luxuries and advantages of a large city; others of moderate means and cultivated tastes desire to make the most of their small conveniences in the enjoyment of those things which they can most appreciate.

For these thousands who are thinking of establishing new homes, some of the advantages of Minneapolis will be briefly enumerated:

First, as to educational matters—Minneapolis has been extremely fortunate in this respect: Sixty school buildings, four of them high-schools, exceptionally high average of teaching ability, generally modern equipment, school board ordinarily free from political limitations, and a generous and loyal public sentiment; these are some of the items in the story of public-school efficiency in Minneapolis. At the present time there are over 40,000 pupils enrolled, 800 teachers are employed and about $1,000,000 spent annually for maintenance and new buildings.

The University of Minnesota has grown from small beginnings as a village academy in the fifties to a place as the third largest university in the country, having about 4,000 students, a faculty numbering hundreds and all the departments of a great university. The university campus comprises some fifty acres overlooking the Mississippi River and within a mile of the center of the city. On these grounds are a score of buildings, most of them modern in construction and valued at over $1,000,000. The equipment and apparatus is worth probably $300,000 more. The University Farm, College and School of Agriculture represents an investment of half a million. These figures are quoted not as indicating, necessarily, excellence of educational performance, but as showing the extent of the institution and the generous attitude of the State towards higher education.

But besides the public-school system and the State University, Minneapolis possesses a public library, in which are housed 125,000 books, and there are about 40,000 borrowers who receive from the library an average of nearly 2,000 books a day.

Minneapolis is fortunate enough to possess a retail street second to none in the United States. Nicollet Avenue is eighty feet wide and for half a mile is built up with the most beautiful stores. Saloons and restaurants are noticeable by their absence. There are no street cars to help obstruct the thoroughfare, and city ordinances, well enforced, allow no automobiles, wagons or carriages to stay in one spot more than ten minutes; heavy hauling is also discouraged. This total mile of shops is largely devoted to the wants of ladies, and the window fronts are second to none anywhere. Property on this avenue has become very valuable, the highest rent being in the neighborhood of $3.00 per square foot per annum for ground-floor stores. The last sale on Nicollet Avenue for an inside piece of property was consummated at a per front foot value of $2500.00. Nicollet Avenue has done more, probably, towards attracting people to Minneapolis than any other one factor.

Residence property is very low-priced. Owing to the remarkable beauty of the general site of Minneapolis, everything is choice; the large quantity of valuable building sites keeps down the price to almost a ridiculous limit. Large lots, 46 x 128 feet, with sewer, water, stone walks, gas mains, electric lights, within twenty minutes' ride of the city on the electric line, can be bought in almost any part of the city for $800.00. Minneapolis has no high-priced residence property.

Minneapolis possesses something peculiar in the way of patrol limits. No saloon can be built outside of the business section, whereas in most cities you see outside business corners with grocery-stores, butcher-shops, saloons, etc. Minneapolis has nothing of the kind; in its residence districts you see just residences. There is nothing to mar the property and the landscape, and temptation is removed entirely from the inhabitants of stable and garage. This fact alone makes residence property cheaper than in most cities, because one never has to figure on the likelihood of this class of business crowding in; once a residence section, always a residence section in Minneapolis.

There is a large buying movement working quietly all over the city, and the coming two years will see more development than has ever been thought of. It is safe to predict 350,000 population for Minneapolis in 1907.

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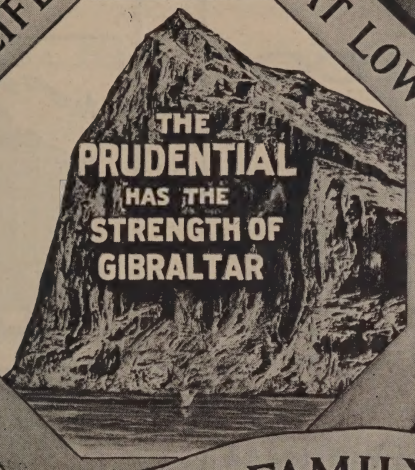

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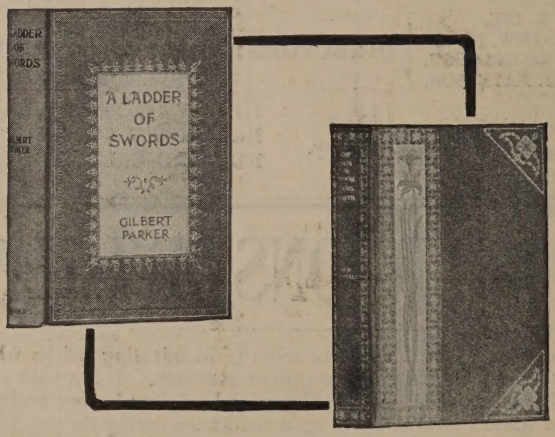

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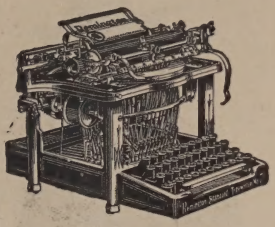

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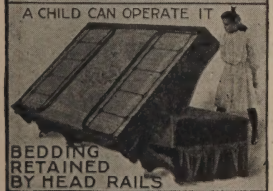

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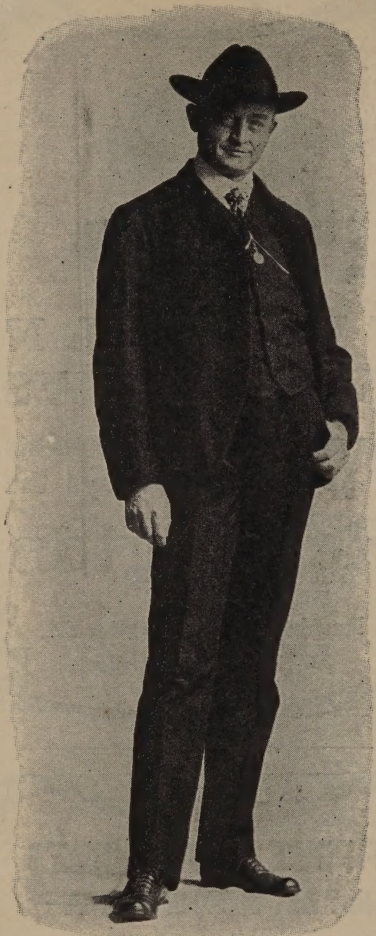

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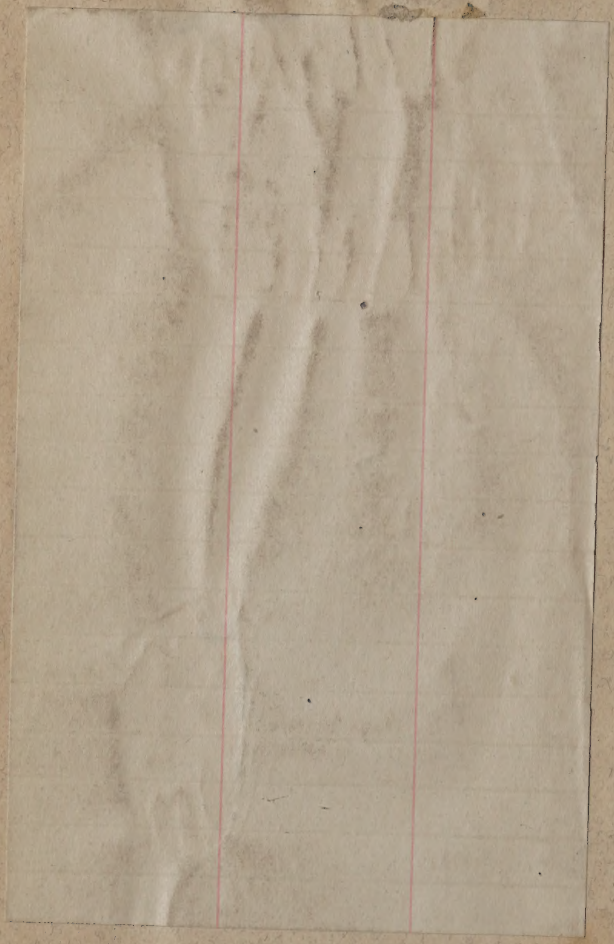

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